THE

Statutes at Large,

FROM

MAGNA CHARTA

To the END of the

Eleventh Parliament of GREAT BRITAIN,

Anno 1761.

CONTINUED.

By DANBY PICKERING, of Gray's-Inn, Esq;
Reader of the Law Lecture to that Honourable Society.

VOL. XXV. PART I.

CAMBRIDGE,
Printed by JOSEPH BENTHAM, Printer to the UNIVERSITY
for CHARLES BATHURST, at the Cross-Keys, opposite St. Dunstan's
Church in Fleet-Street, London;

M, DCC, LXIII.

TO

THE HONOURABLE

CHARLES YORKE,

ATTORNEY-GENERAL

to His MAJESTY.

SIR,

THE Liberty I have taken in dedicating to You in a publick manner, this Edition of ıe Statutes, will I hope, be excuſed, when you nſider that it owes in a great meaſure it's very eing to You.

VHEN the uncommon abilities with which vindicated the right of the Univerſity to print -books, had ſo clearly refuted every objection, diſpelled every doubt from the mind of that ourable Court the King's Bench, that their *Chief*, who always breathes the Spirit of aws, would permit no unneceſſary delays to nd their Juſtice; — You applied it imme-

diately to the Honour of the Univerſity and the Public Utility, by ſuggeſting ſuch a publication of an intire body of the Statutes as was likely to prove of moſt general convenience: — my deſire to make a thankful acknowledgment for the honour of being entruſted with the execution of your Plan, has been hitherto awed by the fear of offending, but united with the inclination of the Univerſity, pardon me if it can no longer be reſtrained in Silence.

THAT learned body, on your firſt appearance among them, ſaw You poſſeſſed of richer Stores of learning than many others are at their leaving it; and the more admired to obſerve You, indefatigable in the purſuit of new attainments, devote to Science that early ſeaſon of life, too frequently reſigned to pleaſure and diſſipation; and that admiration became ripened into the higheſt eſteem and friendſhip with it's moſt reſpectable members, whilſt You were no leſs diſtinguiſhed by your moſt regular obſervance of every thing that Academical authority requires, than by the moſt poliſhed and amiable manners.

THE Seaſon that called you forth into Action, ſeemed only the Harveſt due to the cultivation of ſuch talents at the fountain of learning; and the maſterly ſkill with which You expl ined various queſtions of Policy and Law, n the Senate and at the Bar, not only fixe l the at-

attention of all the men of buſineſs, but attracted the regards of a Sovereign, who being himſelf poſſeſſed of every virtue, feels the nobleſt Satisfaction in exalting modeſt worth; and therefore called You to that important office, — a Choice that reflects mutual luſtre both on the Royal Donor and on the Receiver.

In the Character of Sollicitor General You endeavoured to deſtroy a Monopoly, and to extend the freedom of the Preſs to the Univerſity; becauſe You foreſaw that they would exerciſe it for the public good; and becauſe neither the weight nor variety of buſineſs could ever interrupt the good offices of your antient friendſhip; on the contrary, You rendered it inſtrumental to the protection and honour of that body; — and it's particular Members, in the moſt difficult caſes, ever found in You, at once an able adviſer, and a generous Patron.

But I have been betrayed inſenſibly by the warmth of my own Sentiments and of others, into the danger of giving offence, where I intended the reverſe: — indeed, the delicacies of your Character demand an abler hand than mine, — I forbear therefore, — though not without a ſecret murmur, that You are continually deſerving praiſes, yet are unwilling to hear them, though they afford the higheſt pleaſure to every one beſide.

DEDICATION.

AT leaſt, Sir, permit this Offering of the Firſt-fruits of a Preſs, for which you pleaded with ſo much learning, ſpirit and force, that the Univerſity might almoſt call it Your's, and which under Your Auſpices they propoſe to employ for the general ſervice of the nation: — permit me to entreat Your Pardon for this intruſion, and Your favourable acceptance of this work, and to aſſure You that I am, with the ſincereſt Reſpect,

SIR,

Your moſt obedient, and
devoted humble Servant,

Inner-Temple,
January 26.
1763.

DANBY PICKERING

A LIST of Names of the SUBSCRIBERS to Mr. PICKERING's Edition of the Statutes, ſent in ſince the Publication of the firſt Volume in *November*.

MR. George Andrews, attorney, at Felſtead, Eſſex
Reverend Aſhby of Barwell, Leiceſterſhire
John Tracy Atkins, Eſquire, Curiſitor Baron
Thomas Aylmer, of the Middle Temple, Eſquire

B

Mr. William Baker, attorney, at Folkſtone
Mr. Robert Ballyman, attorney, at Barnſtaple
Mr. John Barrow, of Leominſter, 2 Setts
Mr. John Barmby, jun.
Mr. John Bateman, attorney, at Derby
Mr. James Baxter, attorney, at Knighton
Mr. Robert Baynes
Peter Bell, of Eaſingwould, Eſquire
Mr. Joſeph Bence, of Wooton Under-edge
William Dee Beſt, Eſquire
Reverend Mr. Beadon
Charles Bill, Eſquire
John Bindley, Eſquire, *one of the Commiſſioners of Exciſe*
Mr. Simon Blomfield of Woodbridge
Mr. Francis Blakiſton, attorney, at Sunderland
Mr. William Blennerhaſſet
Mr. Markham Brayham, attorney, at Newmarket
Mr. Thomas Brewſter, attorney, at Kingſton
Mr. Thomas Brookbank
Mr. Charles Browne, attorney, at Storrington, Suſſex
Mr. John Browne, jun. attorney, at Steyning, Suſſex
Mr. Henry Bruton, attorney, at Cullumpton
John Aſkell Bucknall, of Oxy-hall, Hertfordſhire, Eſquire
Henry Burrard, Eſquire

C

Mr. Joſeph Carles, attorney, at Birmingham
Robert Chambers, of the Middle Temple, Eſquire
Awnſham Churchill, Eſquire
John Claxton, of Lincoln's Inn, Eſquire
Mr. Peter Clarke, attorney, at Ipſwich
Mr. John Clarke, bookſeller
Thomas Cockayne, of Soham, Cambridgeſhire, Eſquire
Charles Nalſon Cole, of the Inner Temple, Eſquire
Charles Wolfran Cornwall, Eſquire
Captain Frederick Cornwall
Mr. John Collin of Saffron Walden

A LIST of SUBSCRIBERS.

Mr. Samuel Collet, attorney, at Worceſter
Richard Combs, Eſq;
John Cookſon of the Middle Temple, Eſquire
Mr. John Cotton, Bookſeller, at Shrewsbury
Mr. Richard Crawfoot, attorney, at Yoxford

D

Right Honourable the Earl of Dartmouth
Right Honourable the Earl of Darlington
James Darling, of Mile End, Eſquire
Mr. Richard Dann, attorney, at Hackney
Mr. William Dance
James Day, Gent. attorney, and Town-clerk of Cambridge.
Mr. George Dennis
Mr. Iſaac Denton, of Seabraham, in Cumberland
Matthew Dodſworth, of Creek-Hall, Eſquire

E

Right Honourable the Earl of Egremont, *one of his Majeſty's principal Secretaries of State*
Mr. Edward Eaſton, bookſeller, at Salisbury
Reverend Mr. Tucker Egerton
Mr. Charles Etherington, bookſeller, at York
Mr. Iltid Evans, attorney, at Carmarthen

F

Mr. Sampſon Farbrace, attorney, at Dover
William Fitzherbert, of Tiſſington, Derbyſhire, Eſquire
Mr. William Frederick, bookſeller, at Bath
Mr. John Freeman, attorney, at Combs
Meſſrs. Franklin and Pattiſon, attornies, at Aſhford

G

Mr. Thomas Gabb, attorney, at Briſtol
Mr. S. Gamidge, bookſeller, at Worceſter
Thomas Gilbert, *of the great Wardrobe*, Eſquire
Mr. Thomas Goleborne, of Furnival's Inn
Jonathan Grundy, of Little Wigſtan, Eſquire

H

John Harris, of Gray's Inn, Eſquire
Mr. Edward Harvey, attorney, at Walton
Reverend Mr. Hall, *treaſurer of the church of* Wells
George Heathcote, of Hereford, Eſquire
Richard Heaton, of the Middle Temple, Eſquire
Mr. Robert Heydon, bookſeller, Plymouth
Joſeph Hickey, of St. Albans, Eſquire
The Reverend Mr. Hotchkiſs, of Shrewsbury
James Hubbald, Eſquire
Mr. Edward Hughes, attorney, at Aberyſtwyth
John Hyde, of Lincoln's Inn, Eſquire

I

Mr. Janſon, attorney, at Leybourn, Yorkſhire
Charles Jenkinſon, Eſquire

Mr.

A LIST of SUBSCRIBERS.

Mr. Thomas Johnſon, attorney, at Clapham, Yorkſhire
Mr. Ilderton, of Weſtoe, near Shields.

K

Anthony Keck, of Great Tew, Oxfordſhire, Eſquire
Mr. Richard Kelſall
Mr. William King, paper-maker
Thomas Knight, of the Middle Temple, Eſquire

L

Theophilus Lane, of Hereford, Eſquire
Stephen Martin Leake, Eſquire
George Leith, of Deal, Eſquire
Mr. R. Lewis, bookſeller, Worceſter
Thomas Lockhart, of Lincoln's Inn, Eſquire
Mr. Henry Lowes
Mr. John Lloyd, attorney, Carmarthen
William Lutwyche, of Lutwyche, Eſquire

M

John Maire, of Grays Inn, Eſquire
Mr. Thomas Marſon, keeper of the marſhalſea
Sir William Milner, Baronet
John More, Eſquire
Reverend Sir John Moſley, of Rolleſton, Staffordſhire, Baronet
Mr. Nathaniel Morgan, attorney, Carmarthen
Mr. Thomas Moore, attorney, at Newmarket
Mr. George Morgan, of Brecknock

N.

William Negus, of Dallinghoe, Eſquire
Mr. John Nicholſon
John Nicoll, of Lincolns Inn, Eſquire

O.

Richard Ward Offley, of Hinton, Eſquire
Charles Owen, of Gray's Inn, Eſquire

P.

——— Palmer, Eſquire
Mr. Thomas Parker, attorney, at Worceſter
Mr. Thomas Payne, Bookſeller
John Pechell, Eſquire
Andrew Pemberton, of the Inner Temple, Eſquire
William Weller Pepys, of Chriſt Church, Oxon. Eſquire
Mr. Pemberton, of Durham
Mr. John Pepper, attorney, Grange Court
Mr. John Poole, of Hinkley, Leiceſterſhire
Mr. John Ponſonby attorney, at Egremont, Cumberland
James Plunket, Eſquire

R.

Mr. John Raincock, of Hatton Garden
Mr. Ridſdale, attorney, Sunderland

Mr.

A LIST of SUBSCRIBERS.

Mr. John Ridley, of Woodbridge
Reverend Mr. Robert Richardſon
Mr. John Rivett, of Brandeſton-Hall, Suffolk
Mr. William Roberts, attorney, at Carmarthen

S.

Abney Parker Sankey, of Dublin, Eſquire
Mr. Thomas N. Scott, attorney, at Ipſwich
Mr. Nicholas Shuttleworth, of Durham
Mr. John Sidney, of the Inner Temple
Joſeph Sikes, of Newark, Nottinghamſhire, Eſquire
John Skipp, of Ledbury, Eſquire
Mr. Thomas Slap, attorney, at Boteſdale
John Smith, of Lincoln's Inn, Eſquire
Mr. Richard Socket, attorney, at Worceſter
Thomas Steele, of Chicheſter, Eſquire

T.

Edward Taylor, of the Inner Temple, Eſquire
Stephen Terry, Eſquire
Mr. Thornley, attorney, at Cheſterfield
Mr. John Toovey, attorney, at Wallingford
Sir John Turner, Baronet
Colonel Turner, of Clint
Charles Tudway, of Wells, Eſquire
Mr. William Twopenny, attorney, at Rocheſter
Rev. Mr. Robert Tyrwhitt, Fellow of Jeſus College, Cambridge

V.

Sir Philip Vavaſor, Baronet

W.

Right Honourable the Lord Willoughby, of Parham
Mr. Ward, attorney, in Elm Court
Mr. Pen. Watkins, attorney, at Brecknock
Mr. Thomas Weaver
William Whitaker, Eſq;
Reverend Mr. John Wibberſley
George Wingfield, of the Inner Temple, Eſquire
Mr. Wilſon, attorney, at Sunderland
Mr. Edward Wiſe, attorney, at Harlow
Mr. Robert Woodgate, attorney, at Dedham
Mr. James Woodgate, bookſeller, at Lewes
Mr. Woolferſtan, attorney, at Tamworth
Mr. John Worral, bookſeller
John Wright, of Long Acre, Eſquire

Y.

Mr. Francis Yerbury, of Bradford, Wiltſhire
Thomas Yorke, Eſquire.

A

TABLE

Containing the TITLES of all the

STATUTES

PUBLICK and PRIVATE,

Paſſed *Anno ſecundo*

GEORGII III. *Regis.*

Being the Firſt Seſſion of the Twelfth Parliament of GREAT BRITAIN.

PUBLICK ACTS.

AN act for enabling his Majeſty to make proviſion for ſupporting the royal dignity of the Queen, in caſe ſhe ſhall ſurvive his Majeſty.

II. An act to repeal ſo much of an act paſſed in the firſt year of the reign of his preſent Majeſty King *George* the Third, intituled, *An act for the relief of inſolvent debtors*, as relates to creditors compelling priſoners charged in execution to deliver up their eſtates, and to ſuch priſoners being thereupon diſcharged.

III. An act for granting an aid to his Majeſty by a land tax, to be raiſed in *Great Britain*, for the ſervice of the year one thouſand ſeven hundred and ſixty two.

IV. An act for continuing and granting to his Majeſty certain duties upon malt, mum, cyder, and perry, for the ſervice of the year one thouſand ſeven hundred and ſixty two.

V. An act for more effectually preventing the exceſſive uſe of ſpirituous liquors for home conſumption, by laying additional duties upon ſpirits made in *Great Britain*, or imported into the ſame; and for better regulating and encouraging the exportation of *Britiſh* made ſpirits; and for ſecuring the payment of the duties upon ſpirituous liquors.

VI. An act for the importation of ſalted beef, pork, and butter into this kingdom from *Ireland*, for a limited time, for the

ſupply of his Majeſty's ſhips, tranſport and other ſhips and veſſels, in his Majeſty's immediate ſervice and pay.

VII. An act for enabling his Majeſty to raiſe a certain ſum of money towards paying off and diſcharging the debt of the navy, and towards naval ſervices for the year one thouſand ſeven hundred and ſixty two.

VIII. An act for granting to his Majeſty ſeveral rates and duties upon windows, or lights.

IX. An act for charging certain annuities granted in the year one thouſand ſeven hundred and ſixty, on the ſinking fund; and for carrying the duties therein mentioned to the ſaid fund; and for making forth duplicates of exchequer bills, tickets, certificates, receipts, annuity orders, and other orders, loſt, burnt, or otherwiſe deſtroyed.

X. An act for raiſing by annuities, in manner therein mentioned, the ſum of twelve millions, to be charged on the ſinking fund; and for applying the ſurplus of certain duties on ſpirituous liquors, and alſo the monies ariſing from the duties on ſpirituous liquors, granted by an act of this ſeſſion of parliament.

XI. An act for puniſhing mutiny and deſertion; and for the better payment of the army and their quarters.

XII. An act for the regulation of his Majeſty's marine forces while on ſhore.

XIII. An act for appointing commiſſioners for putting in execution an act of this ſeſſion of parliament, intituled, *An act for granting an aid to his Majeſty by a land tax, to be raiſed in* Great Britain, *for the ſervice of the year one thouſand ſeven hundred and ſixty two.*

XIV. An act to prevent vexatious proceedings againſt brewers, victuallers, and others, with reſpect of the prices of beer and ale; for better ſecuring the revenue upon ſtrong beer and ale, by preventing fraudulent mixing thereof; to repeal ſo much of an act made in the firſt year of the reign of his preſent Majeſty, as extends certain proviſions relative to the exportation of ſpirituous liquors to the exportation of ſtrong beer and ale; and for the more effectual preventing the re-landing of beer, ale, cyder, and mum, ſhipped for exportation as merchandize.

XV. An act for the better ſupplying the cities of *London* and *Weſtminſter* with fiſh, and to reduce the preſent exorbitant price thereof; and to protect and encourage fiſhermen.

XVI. An act for the encouragement of ſeamen, and the more ſpeedy and effectual manning his Majeſty's navy.

XVII. An act for relief of the vaſſals of the ſeveral eſtates which are or may be annexed to the crown, by virtue of an act paſſed in the twenty fifth year of the reign of his late Majeſty, and for carrying the purpoſes of the ſaid act more effectually into execution; and for enforcing and carrying into execution ſo much of an act paſſed in the firſt year of the reign of his preſent Majeſty, as relates to the paying and diſcharging the wadſetts affecting the eſtate of *Lovat*.

XVIII. An

XVIII. An act for rendering more effectual an act made in the twelfth year of the reign of her late Majesty queen *Anne*, intituled, *An act for providing a publick reward for such person or persons as shall discover the longitude at sea*, with regard to the making experiments of proposals made for discovering the longitude.

XIX. An act for the better preservation of the game in that part of *Great Britain* called *England*.

XX. An act to explain, amend, and reduce into one act of parliament, the several laws, now in being, relating to the raising and training the militia within that part of *Great Britain* called *England*.

XXI. An act for paving, cleansing, and lighting, the squares, streets, and lanes, within the city and liberty of *Westminster*, the parishes of *Saint Giles in the Fields*, *Saint George the Martyr*, *Saint George Bloomsbury*, that part of the parish of *Saint Andrew's Holbourn* which lies in the county of *Middlesex*, the several liberties of the *Rolls* and *Savoy*, and that part of the dutchy of *Lancaster* which lies in the county of *Middlesex*, and for preventing annoyances therein; and for other purposes therein mentioned.

XXII. An act for the keeping regular, uniform, and annual registers, of all parish poor infants under a certain age, within the bills of mortality.

XXIII. An act to indemnify such as have omitted to qualify themselves for offices and employments, and to indemnify justices of the peace, deputy lieutenants, and officers of the militia, or others, who have omitted to register or deliver in their qualifications within the time limited by law, and for giving further time for those purposes; and for the making and filing of affidavits of articles of clerkship.

XXIV. An act for importing salt from *Europe* into the colony of *Nova Scotia* in *America*.

XXV. An act for naturalizing such foreign protestants as have served, or shall serve, for the time therein mentioned, as officers or soldiers in his Majesty's royal *American* regiment, or as engineers in *America*.

XXVI. An act for allowing further time for inrollment of deeds and wills made by papists; and for relief of protestant purchasers.

XXVII. An act for enabling the judges of the court of session in *Scotland* to make an adjournment of the said court for such time, betwixt the twentieth day of *December* and the fifteenth day of *January*, yearly, as they shall judge most convenient not exceeding twenty days.

XXVIII. An act to prevent the committing of thefts and frauds by persons navigating bum boats, and other boats, upon the river *Thames*.

XXIX. An act to amend so much of an act made in the first year of the reign of King *James* the First, intituled, *An act for the better execution of the intent and meaning of former statutes made*

againſt ſhooting in guns, and for the preſervation of the game of pheaſants and partridges, and againſt the deſtroying of hares with hare pipes, and tracing hares in the ſnow; as relates to the preſervation of houſe doves and pigeons, by making the manner of convicting ſuch perſon or perſons as ſhall offend therein more eaſy and expeditious.

XXX. An act for enlarging and improving the north eaſt avenue of *London* Bridge.

XXXI. An act for making perpetual an act for the better regulation and government of ſeamen in the merchants ſervice; and for extending the proviſions thereof to his Majeſty's colonies in *America*.

XXXII. An act for draining and preſerving certain low lands called *The Fens*, lying on both ſides of the river *Witham*, in the county of *Lincoln*; and for reſtoring and maintaining the navigation of the ſaid river, from the *High Bridge* in the city of *Lincoln*, through the borough of *Boſton*, to the ſea.

XXXIII. An act for granting to his Majeſty a certain ſum of money out of the ſinking fund; and for applying certain monies remaining in the exchequer, for the ſervice of the year one thouſand ſeven hundred and ſixty two; and for ſettling and ſecuring a certain annuity for the uſe of the right honourable *Arthur Onſlow*, ſpeaker of the houſe of commons in the laſt five parliaments.

XXXIV. An act for enabling his Majeſty to raiſe the ſum of one million for the uſes and purpoſes therein mentioned; and for further appropriating the ſupplies granted in this ſeſſion of parliament; and for allowing time for the payment of the ſtamp duties omitted to be paid upon admiſſions into corporations or companies, and appointments to offices therein; and for the relief of *William Earle*, in reſpect of a quantity of white ſalt, loſt by the wreck of a ſhip near the harbour of *Dublin*.

XXXV. An act for applying the money granted in this ſeſſion of parliament, towards defraying the charge of the pay of the militia of that part of *Great Britain* called *England*, when unembodied, and of the cloathing of the part of the ſaid militia now unembodied, for one year, beginning the twenty fifth day of *March*, one thouſand ſeven hundred and ſixty two.

XXXVI. An act for better ſecuring the payment of the ſums of money directed by an act made in the thirty ſecond year of the reign of his late Majeſty King *George* the Second, to be applied in augmentation of the ſalaries of the puiſne judges in the court of *King's Bench*, the judges in the court of *Common Pleas*, the barons of the coif in the court of *Exchequer*, at *Weſtminſter*, and the juſtices of *Cheſter* and the great ſeſſions for the counties in *Wales*, for the time being.

XXXVII. An act for veſting certain lands, tenements, and hereditaments, upon the ſea coaſts, in the counties of *Kent*, *Suſſex*, and *Southampton*, on which forts and batteries have been erected for the defence of the ſaid coaſts in truſtees, for certain uſes; and for other purpoſes therein mentioned.

XXXVIII. An

XXXVIII. An act for the more eaſy and ſpeedy recovery of ſmall debts, within the town and county of the town of *Kingſton upon Hull*.

XXXIX. An act for repairing and widening the roads from *Mullen's Pond* in the county of *Southampton*, to the eighteen mile ſtone from the city of *Salisbury* near *Willoughby Hedge*; and from *Weſt Amesbury* to *Anſtlow Hill*; and from *Amesbury* to *Fiddleton*; and from the *New Inn* in *Amesbury* to the end of the pariſh leading to *Durrington*; and from *Wily* to *Cook's Houſe* and *Landford*; and from *Beacon Hill* to the *Nag's Head*; and from thence one mile of the road leading to *Shrewton* in the county of *Wilts*.

XL. An act for ſupplying the town of *Halifax* with water.

XLI. An act for rendering more effectual ſeveral acts paſſed in the fifth year of his late Majeſty King *George* the Firſt, and the thirteenth year of his late Majeſty King *George* the Second, for repairing the roads from the top of *Stokenchurch Hill* to *Enſlow bridge*, through the city of *Oxford*, by *Begbrooke*, to *New Woodſtock* in the county of *Oxon*; and for repairing the road from the *Crown* alehouſe, to the turnpike on *Stokenchurch Hill* aforeſaid; and for repairing the mile-ways on each ſide the ſaid city, as therein mentioned.

XLII. An act for repairing, widening, and altering, the road from *Sandon* in the county of *Stafford*, to *Bullock Smithy* in the county of *Cheſter*: and from *Hilderſtone*, to *Draycott* in the Moors; and from *Wetley Rocks*, to *Tean*, in the ſaid county of *Stafford*.

XLUI. An act for repairing and widening ſeveral roads in the counties of *Cornwall* and *Devon*, leading to the borough of *Saltaſh* in the county of *Cornwall*.

XLIV. An act for repairing and widening the roads from a certain place near *Bolton* in the Moors, to *Leigh*; and thence to the guide poſt near *Golbourne Dale*, and to the ſouth end of *Newton Bridge*; and from the ſaid guide poſt to *Winwick*; and from *Newton* by *Parr Stocks*, to the guide poſt in *Parr*, in the county palatine of *Lancaſter*.

XLV. An act for better regulating the poor; maintaining a nightly watch; lighting, paving, and cleanſing the ſtreets, rows, and paſſages; providing fire-engines and firemen: and regulating the hackney coachmen, chairmen, carmen, and porters; within the city of *Cheſter*.

XLVI. An act for repairing and widening the road from the *Loſtwithiel* turnpike road, in the pariſh of *Creed* in the county of *Cornwall*, through *Tregony*, to *Ruan Lanehorne*; and from *Dennis Water*, to three hundred yards on the ſouth ſide of *Trethim Mill*, in the pariſh of *Saint Juſt*, in the ſaid county.

XXVII. An act for the enlightning the ſtreets, lanes, and paſſages, within the town and county of the town of *Nottingham*.

XLVIII. An act for enlarging the term and powers granted by two ſeveral acts, paſſed in the ſixth and ſixteenth years of his

late Majesty, for the more effectual reparing the roads leading from *Wadesmill* in the county of *Hertford*, to *Barley* and *Royston*; and for making the said acts more effectual.

XLIX. An act for amending and widening the road from the turnpike road at or near the town of *Swindon*, to the north end or side of the town of *Marlborough*, and from the said town of *Marlborough* to the village of *Everly* in the county of *Wilts*.

L. An act for repairing, widening, and altering, several roads leading from *Tavistock* to *Plymouth*, and other places in the county of *Devon*.

LI. An act to amend and render more effectual an act passed in the last session of parliament, intituled, *An act for amending, widening, and keeping in repair, the road leading from* Fisherton Bridge *to the turnpike road at* Willoughby Hedge *in* West Knoyle, *and from* Wilton Bridge, *to the turnpike road at the west end of* Heytesbury; *and also the road from the turnpike road at the top of* Red Hone Hill, *in the parish of* Urshfont, *to the mile-stone at the western end of* Fisherton Street *in the county of* Wilts.

LII. An act for building a bridge cross the river *Tees*e, at or near the ferry in the parish of *Stockton*, in the county of *Durham*.

LIII. An act for repairing and widening the roads leading from *Kelsal*, in the county of *Salop*, to *Whiston Cross*, and from thence over *Burnhill Green Rudge Heath*, by the two New Inns, and to a place called *High Gate Warren*, in the county of *Stafford*.

LIV. An act for amending, widening, and keeping in repair, the road, from *Castle street*, at the end of the town of *Hinckly*, to *Lutterworth Town's-End*, and from, or near, the Guide Post, at *Walcot Town's-End*, in the county of *Leicester*, to the Eighty Mile stone, in *Welford Field*, in the county of *Northampton*.

LV. An act for continuing and rendering more effectual an act passed in the tenth year of his late Majesty King *George* the Second, intituled, *An act for continuing an act passed in the third year of the reign of His Majesty King* George *the First, for laying a duty of two Pennies* Scots, *or one sixth part of a penny* sterling, *on every pint of ale or beer, that shall be vended, or sold, within the town of* Dumfries, *and privileges thereof, for paying the debts of the said town, and for building a church, and making a harbour there*; and for laying a duty on the tonnage of shipping, and a duty on goods imported and exported, into, and out of, the port of the the said town, for the better repairing of the said harbour.

LVI. An act to amend and render more effectual an act made in the twenty eighth year of the reign of his late Majesty King *George* the Second, for making navigable *Sanky Brook*, in the county of *Lancaster*, and for the extending and improving the said navigation.

LVII. An act to amend an act made in the thirty second year of the reign of his late Majesty, for repairing and widening several roads, therein mentioned, in the counties of *Southampton* and *Dorset*: and for amending and widening the road between *Ring-*

Ringwood Gate, in the county of *Southampton* to *Woolsbridge*; and from thence to the great Weſtern road, between a place called *Thick Thorn* and *Caſhmore Inn*.

LVIII. An act for the better relief and employment of the poor, and for cleanſing the ſtreets, lanes, and other paſſages and places, in the pariſhes of *Saint James*, within the liberty of *Weſtminſter*, and for enlarging the church yard belonging to the ſaid pariſh.

LIX. An act for repairing, widening, turning, and ſhortening the road leading from the turnpike road on *Furrad's Common*, in the pariſh of *Bradford*, through *Holt* and *Melkſham*, to *Homan's Stile*, in the pariſh of *Laycock*, in the county of *Wilts*.

LX. An act for repairing and widening the road from the turnpike road at *Weyhill*, in the county of *Southampton*, to the turnpike road at *Lyde Way*, in the county of *Wilts*.

LXI. An act for altering, widening, and amending, the road from the north gate of the city of *Wincheſter*, over *Worthy Cow Down*, through *Whitchurch*, and other places, to *Newtown River*, and alſo the road from *Worthy Cow Down* aforeſaid, through *Wherwell*, to the preſent turnpike road at *Andover*, in the county of *Southampton*.

LXII. An act for repairing and widening the high road, leading from *Aſhborne*, in the county of *Derby*, to the town of *Leek*, in the county of *Stafford*, and from *Reycroft Gate*, upon *Ruſhton Common*, to *Congleton*, in the county of *Cheſter*; and alſo the road leading from *Blyth Marſh*, in the county of *Stafford*, through *Cheadle*, *Oakamoor*, and *Blore*, to the turnpike road, from *Aſhborne* to *Bukton* near *Thorp*, in the county of *Derby*.

LXIII. An act for amending, widening, altering, and keeping in repair, the road from the ſouth end of *Sparrow's Herne* on *Buſhy Heath*, through the market towns of *Watford*, *Berchamp, ſtead*, *Saint Peters*, and *Tring*, in the county of *Hertford*, by *Pettifers Elms*, to the turnpike road at *Walton*, near *Aylesbury*, in the county of *Bucks*.

LXIV. An act for amending, widening, and keeping in repair, ſeveral roads leading from *Bridge Town Pomeroy*, and from *Teing Bridge* in the county of *Devon*.

LXV. An act for repairing and widening the roads from the *White Poſt* on *Haſleden's Wood*, in the pariſh of *Cranbrooke*, to *Appledore Heath*; and from *Milk Houſe Street*, in the ſame pariſh, to *Caſtleden's Oak*, in the pariſh of *Biddenden*; and from *Golford Green*, in the ſaid pariſh of *Cranbrooke*, to *Tanner's Vent*, in the pariſh of *Benenden*, all in the county of *Kent*.

LXVI. An act for repairing the road from the turnpike road on the top of *Whiteſheet Hill*, to a place called the *Hare Warren*; and from thence to the *Index Poſt*, ſtanding near the *Blandford* turnpike road, on the ſide of *Harnam Hill*; and alſo for repairing and widening the road from the ſaid *Index Poſt*, to a houſe called *Maſter Baker's Farm Houſe*, in the county of *Wilts*.

LXVII. An act for continuing, enlarging, and rendering more effectual, ſo much of an act made in the fourteenth year

of the reign of his late Majeſty King *George* the Second, intituled, *An act for enlarging the terms and powers granted by two acts of parliament, for repairing the roads leading from* ſeven Oaks *to* Woodſgate *and* Tonbridge Wells; *and from* Woodſgate *to* Kippings Croſs *in the county of* Kent; *and alſo for repairing the roads from* Kippings Croſs *aforeſaid, to* Lamberhurſt Pound *and* Pullen's Hill, *in the ſaid county*; *and to* Flimwell Vent, *in the county of* Suſſex; as relates to the amending, repairing, and keeping in repair, the ſaid roads, leading from *Kipping's Croſs* aforeſaid, to *Lamberhurſt Pound*, *Pullen's Hill*, and *Flimwell Vent*, aforeſaid.

LXVIII. An act for building two new churches, and providing burial places within the town of *Liverpool*, in the county palatine of *Lancaſter*; and for the better preſerving the pavements of the ſtreets in the ſaid town; and for aſcertaining the fares and prices to be paid carters, carmen, hackney coachmen, and chairmen, and for regulating their behaviour, within the ſaid town.

LXIX. An act for explaining and amending ſo much of two acts of the twenty ſeventh and twenty ninth years of his late Majeſty, for repairing ſeveral roads therein mentioned, in the counties of *Leiceſter* and *Warwick*, as relates to the road between *Hinckley* and *Coventry*.

LXX. An act to amend and render more effectual ſeveral acts made for cleanſing and enlightening the ſtreets of the town of *Kingſton upon Hull*, and for preventing annoyances therein.

LXXI. An act for continuing the term and powers of an act, made in the fourteenth year of the reign of his late Majeſty, intituled, *An act for repairing the road from* Doncaſter, *through the pariſh of* Peniſton, *in the county of* York, *to* Salter's Brook, *in the county of* Cheſter; *and alſo the road from* Rotherham, *in the ſaid county of* York, *to* Hartcliffe Hill, *in the ſaid pariſh of* Peniſton; and for making the ſaid act more effectual ſo far as the ſame relates to the ſaid road between *Doncaſter* and *Salter's Brook*.

LXXII. An act for repairing and widening the road from *Flimwell Vent*, in the county of *Suſſex*, through *Highgate* in the county of *Kent*, and the pariſhes of *Sandhurſt*, *Newenden*, and *Northiam*, to *Rye*, in the ſaid county of *Suſſex*; and from *Highgate* aforeſaid, to *Cooper's Corner*, in the ſaid county of *Suſſex*, and to *Tubb's Lake* in the ſaid county of *Kent*.

LXXIII. An act for repairing and widening the roads from a certain bridge, called *James Deeping Stone Bridge*, to *Peter's Gate* in *Stamford*, in the county of *Lincoln*, and from thence, to the ſouth end of the town of *Morcot*, in the county of *Rutland*.

LXXIV. An act to amend and render more effectual an act made in the twenty ninth year of the reign of his late Majeſty, intituled, *An act for amending and keeping in repair the roads leading from* Meadbrook, *which divides the pariſhes of* Pucklechurch *and* Mangotsfield, *in the county of* Glouceſter, *to* Chriſtian Malford

ford Bridge, *in the county of* Wilts, *and alſo from* Pucklechurch *aforeſaid, to certain coal mines in the ſaid pariſh.*

LXXV. An act for repairing and widening the high road leading from the north end of *Ballingdon Bridge*, in *Sudbury*, in the county of *Suffolk*, to the ſouth gate in *Berry Saint Edmunds*, in the ſaid county.

LXXVI. An act for amending and widening the road leading from the high poſt road near the town of *Faverſham*, by *Bacon*'s *Water*, through *Aſhford*, to the town and port of *Hythe*, in the county of *Kent*, and from *Bacon*'s *Water*, to a certain lane, called *Holy-Lane*, in *Wincheap*, near the city of *Canterbury*.

LXXVII. An act to enlarge the term and powers, and alſo to render more effectual an act for amending, widening, and keeping in repair, the ſeveral roads from the town of *Pool*, in the county of *Montgomery*, to *Wrexham*, in the county of *Denbigh*; and alſo the road from *Knockin*, in the county of *Salop*, to *Llanrhaiader*, in *Mochnant*, in the county of *Denbigh*, and to repair and widen ſeveral other roads therein mentioned.

LXXVIII. An act for amending and widening the road from the *Market-Houſe*, in *Stourbridge*, to *Colly Gate*, in *Cradley*, and from *Pedmore*, to *Holly Hall*, and from *Colly Gate*, to *Haleſowen*, and from the turnpike road on *Dudley Wood*, to *Rednal Green*, in the pariſh of *King*'s *Norton*, and from *Carter*'s *Lane*, to the *Bell Inn* at *Northfield*, in the counties of *Worceſter*, *Stafford*, and *Salop*.

LXXIX. An act for amending, widening, and keeping in repair, ſeveral roads leading from *Cleobury Mortimer*, the *Croſs Houſes*, *Glazeley*, and the turnpike gate on *Abberley Hill*, in the counties of *Salop* and *Worceſter*.

LXXX. An act for amending, widening, and keeping in repair, ſeveral roads therein mentioned, lying in the counties of *Leiceſter* and *Warwick*, and in the county of the city of *Coventry*.

LXXXI. An act for widening, repairing, and amending, the road from *Heſket*, by *Yewes Bridge*, to *Cockermouth*, and from thence by *Lorton*, over *Whinlatter*, to *Keſwick*, in the county of *Cumberland*; and from *Keſwick*, by *Dummail Rays* and *Ambleſide*, to *Kerby* in *Kendall* in the county of *Weſtmorland*: and from *Plumbgarth*'s *Croſs*, near *Kirby* in *Kendall* aforeſaid, to the lake called *Windermere*, in the county of *Weſtmorland*; and from *Keſwick* aforeſaid, to the town of *Penrith*, in the county of *Cumberland*.

LXXXII. An act to continue, and render more effectual, an act paſſed in the thirtieth year of the reign of his late Majeſty, *for amending, widening, and keeping in repair, the road leading from* Burleigh Bridge, *in the town of* Loughborough, *to* Aſhby de la Zouch, *in the county of* Leiceſter; and for repairing and widening the road, branching out of the ſaid road, at *Coleorton Church*, over *Coleorton Moor*, and through *Worthington*

and

and *Sutton Bonington*, to *Rempſton*, in the counties of *Leiceſter* and *Nottingham*.

LXXXIII. An act for repairing and widening the roads from *Kirkby-Steven High-Lane Head*, in the county of *Weſtmorland*, through *Sedbergh*, to *Greeta Bridge*, in the county palatine of *Lancaſter*; and from *Bracken Bar Gate* near *Aſkrigg*, in the county of *York*, through *Sedberg*, to *Kirkby Kendal*; and alſo the road from the four lane ends in *Marthwaite*, to the turnpike road on *Grayrigg Houſe*, leading from *Appleby*, to *Kirkby Kendal*, in the ſaid county of *Weſtmorland*.

LXXXIV. An act for repairing and widening the road from *Coſham*, in the county of *Southampton*, to the city of *Chicheſter*.

LXXXV. An act to impower the commiſſioners and truſtees named and appointed by, and in purſuance of an act of parliament made in the tenth year of the reign of his late Majeſty King *George* the Firſt, for making more effectual an act made in the ninth year of his Majeſty's reign, intituled, *An act for completing the repairs of the harbour of* Dover *in the county of* Kent, *and for reſtoring the harbour of* Rye *in the county of* Suſſex, *to its antient goodneſs ſo far as the ſame relates to the harbour of* Rye, to let the ſea and tides into a new cut or channel, made in purſuance of the ſaid act of the tenth year of his ſaid late Majeſty's reign, as far as a wall, called *Winchelſea Wall*.

LXXXVI. An act to enlarge the term and powers granted by an act paſſed in the eleventh year of the reign of his late Majeſty, for continuing ſeveral acts relating to the harbour of *Liverpool*, and for enlarging the ſaid harbour, by making an additional dock, and building a pier in the open harbour there, and for enlightening the ſaid dock, and for making another dock with proper piers in the ſaid harbour, and for erecting lighthouſes, and other proper lights, in or near the port of *Liverpool*.

LXXXVII. An act for enlarging the term and powers of ſeveral acts of parliament, relating to the harbour of *Whitehaven*, in the county of *Cumberland*, and to the roads leading to the ſaid harbour and town of *Whitehaven*; and for further enlarging the ſaid harbour; and for lighting the ſaid town, and ſupplying the ſame with water; and for regulating the carmen there; and for repealing ſo much of an act of the twenty third year of the reign of his late Majeſty, as relates to the road from *Calder Bridge*, to *Egremont*, and directing how the ſaid road ſhall be repaired, and for repairing ſeveral other roads therein mentioned, in the ſaid county.

PRIVATE ACTS.

AN act for naturalizing *Anna Maria Thornton*, wife of *Octavius Thornton*, merchant.

2. An

2. An act for dividing and incloſing certain common fields, and meadows, in the pariſh of *Holy Croſs*, in *Perſhore*, in the county of *Worceſter*.

3. An act for naturalizing *Philip Jacob Krauter*, and *John Paris*.

4. An act for naturalizing *John Berens*.

5. An act for eſtabliſhing and confirming certain articles of agreement for the dividing and incloſing ſeveral common fields, meadows, and paſtures, in the townſhips of *Elvaſton* and *Thulſton*, in the county of *Derby*.

6. An act for naturalizing *Francis Rodolph Fatio*, *John Le Coq*, *John Henry Cazenove*, and *Henry Peter Kuhff*.

7. An act for dividing and incloſing two pieces or parcels of open and unincloſed lands, called *The Town Hill*, and *The Burroughs*, in the borough and manor of *Swanſea*, in the county of *Glamorgan*.

8. An act for dividing and incloſing the common fields, meadows, paſtures, and waſte grounds, in the townſhip of *Aſton upon Trent*, in the county of *Derby*.

9. An act for dividing and incloſing the common fields, common meadows, common grounds, and commonable places, in the pariſh of *Swanburne*, in the county of *Bucks*.

10. An act for dividing and incloſing ſeveral common fields, meadows, paſtures, and waſte grounds, in the pariſh of *Barrowby*, in the county of *Lincoln*.

11. An act to enable the moſt noble *Francis* duke of *Bridgewater* to make a navigable cut or canal from *Longford Bridge*, in the townſhip of *Stretford*, in the county palatine of *Lancaſter*, to the river *Merſy*, at a place called *The Hemp Stones*, in the townſhip of *Halton*, in the county of *Cheſter*.

12. An act for authorizing and enabling *John Woods*, *William Woods*, and *John Challen*, merchants, to erect and build one or more tide mill or tide mills, for grinding corn and grain, upon a creek or channel, in the manor and pariſh of *Biſhopſton*, in the county of *Suſſex*.

13. An act for ſale of certain lands, tenements, and hereditaments, in the pariſhes of *Witham Frary*, *Marſton*, or *Nunny*, in the county of *Somerſet*, deviſed and limited by the will of Sir *William Wyndham* baronet, deceaſed, and for laying out the money ariſing by ſuch ſale in the purchaſe of other lands and hereditaments to be ſettled to the ſame uſes, except as therein mentioned.

14. An act for confirming and eſtabliſhing a partition between *Samuel Blunt*, *Henry Humphery*, *James Clitherow*, eſquires, and others, of ſeveral eſtates in the counties of *Suſſex*, *Surrey*, and *Kent*, and for veſting and ſettling the entire premiſſes to the ſeveral uſes therein mentioned.

15. An act for incorporating the truſtees, named in the ſettlement and will of *Chriſtopher Tancred*, eſquire, deceaſed, and to enable them to take the eſtate late of the ſaid *Chriſtopher Tancred*, to them and their ſucceſſors, in perpetuity, for the charitable

ritable uſes in ſuch ſettlement and will, and for the better management of the charity.

16. An act for veſting a piece or pieces of ground, in *Kenſington*, in the county of *Middleſex*, part of the ſettled eſtate of *Robert Philimore* gentleman, in truſtees, to be ſold, and for applying the money, ariſing by ſuch ſale, in the purchaſe of lands, tenements, and hereditaments, to be ſettled and limited to the like uſes as the ſaid ground now ſtands ſettled.

17. An act to enable the right honourable the lady *Frances Hanbury Williams*, to take upon her, and uſe, the ſurname of *Coningeſby*, purſuant to a proviſo in a ſettlement made by her father, *Thomas* earl *Coningeſby*, deceaſed.

18. An act to enable *John Haſe* eſquire, and his heirs male, to take and uſe the ſurname and arms of *Lombe*.

19. An act for naturalizing *Henrietta Frederique* viſcounteſs *Stormont*, wife of the right honourable *David* lord viſcount *Stormont*.

20. An act for naturalizing *Philip Schumacher* and *Nicholas Brandt*.

21. An act for naturalizing *Jacob Wolffe* eſquire, commonly called baron *Wolffe*.

22. An act for naturalizing *Paul Metivier*.

23. An act for naturalizing *James Repinder*.

24. An act for naturalizing *Jean Charnaud*.

25. An act for dividing and incloſing the open and common field, common meadows, common paſtures, common grounds, and commonable lands, within the hamlet and liberties of *Princethorpe*, in the townſhip and pariſh of *Stretton upon Dunſmore*, in the county of *Warwick*.

26. An act for dividing and incloſing a certain moor, or common, called *Middlewood Moor*, or *Uſhaw Moor*, within the manor of *Lancheſter*, in the county of *Durham*.

27. An act for dividing and incloſing the whole year lands, and paſture grounds, common fields, half year incloſures, ſhack meadows, and commons, in the pariſh of *Snettiſham*, in the county of *Norfolk*.

28. An act for dividing and incloſing the open fields in the pariſh of *Hungerton*, in the county of *Leiceſter*.

29. An act for dividing and incloſing the open fields of *Thurmaſton*, in the pariſh of *Belgrave* and *Barkby*, in the county of *Leiceſter*

30. An act for dividing and incloſing the open and common fields and common grounds in *Whiſſondine*, in the county of *Rutland*.

31. An act for veſting certain lands, tenements, and hereditaments, heretofore given, in truſt, for the benefit of the poor inhabitants of the pariſh of *Woburn*, in the county of *Bedford*, in his grace *John* duke of *Bedford*, and his heirs, and for eſtabliſhing a better fund in lieu thereof.

32. An act for diſcharging the eſtate of *Frederick* viſcount *Bolingbroke*, in the county of *Surrey*, from the uſes and limitations

tions of a former ſettlement, and for ſettling lands and hereditaments in the county of *Kent*, in lieu thereof to the ſame uſes.

33. An act to enable *Patrick Blake* eſquire, a minor, to make a ſettlement on *Annabella Bunbury* ſpinſter, and the iſſue of their intended marriage; and for other purpoſes therein mentioned.

34. An act for the ſale of part of the eſtates entailed by the will of *Edward Melliſh*, eſquire, deceaſed, and for laying out the money ariſing by ſuch ſale, in the purchaſe of other eſtates to be ſettled to the like uſes.

35. An act for veſting a rent charge in fee ſimple, in truſtees, for the benefit of certain poor families deſcribed in the will of *John Styleman* deceaſed, in lieu of a moiety of certain lands and hereditaments, deviſed by the ſame will, for the benefit of the ſaid poor families, and for veſting the ſaid moiety in fee ſimple in *John Boyd*, eſquire, and his heirs.

36. An act for ſelling part of the eſtates of *Willam Maſon*, eſquire, deviſed to him by the will of *William Maſon*, eſquire, deceaſed, and for laying out the money to ariſe thereby in the purchaſe of other lands and hereditaments, to be ſettled, in lieu thereof, to the uſes limited by the ſaid will; and for exchanging other part of the ſaid eſtates of the ſaid *William Maſon*, ſo deviſed, for other lands and tenements, to be ſettled, in lieu thereof, to the uſes limited by the ſame will.

37. An act for veſting all the real and perſonal eſtates, late of *Elizabeth Morgan* widow, deceaſed, in *Elizabeth Mackenzie*, wife of *George Mackenzie*, eſquire, her neice, heir at law, and only next of kin, diſcharged from all right, claims, and intereſt, of the maſter and fellows of *Gonvile* and *Caius College*, in the univerſity of *Cambridge*.

38. An act for the ſale of the eſtate of *Thomas Waite*, an infant, for diſcharging incumbrances affecting the ſame, and for applying the ſurplus money ariſing thereby for the benefit of the ſaid infant.

39. An act for naturalizing *Diederick Weſſel Linden*.

40. An act for dividing and incloſing the open and common fields, in the manor of *Shenley Brookend*, in the pariſh of *Shenley*, in the county of *Bucks*.

41. An act for dividing and incloſing the ſeveral open and common fields, meadows and commons, within the lordſhip or liberty of *Quorndon*, in the county of *Leiceſter*.

42. An act for dividing and incloſing ſeveral common fields, commons, common heaths, and waſte grounds, in the pariſh of *Porteſham*, in the county of *Dorſet*.

43. An act for dividing and incloſing a certain moor or common, within the manor of *Evenwood* and chapelry of *Saint Helen's Auckland*, and county of *Durham*.

44. An act for dividing, allotting, and incloſing, the open fields, paſtures, and pieces or parcels of meadows and paſture ground, in the lordſhip of *Sproatley*, in *Holderneſs*, in the county of *York*.

45. An

45. An act for confirming articles of agreement for incloſing common fields, commons, paſtures, and waſte grounds, in the townſhips or Hamlets of *Dringhoe*, *Upton*, and *Brough*, in the pariſh of *Skipſea*, in *Holderneſs*, in the eaſt riding of the county of *York*.

46. An act for dividing and incloſing the open and common fields, common paſtures, common meadows, common grounds, and waſte grounds, of and in the manor, pariſh, and liberties of *Towceſter*, with the hamlets of *Wood Burcott*, and *Caldecote*, in the county of *Northampton*.

47. An act for incloſing and dividing the common fields, moors, and common grounds, in the townſhip of *Rotherham*, in the county of *York*.

48. An act for incloſing and dividing ſeveral open fields, and commonable lands, within the manor and pariſh of *Wintringham*, in the county of *Lincoln*.

49. An act for repealing part, and explaining and amending other parts, of an act made in the thirty ſecond year of the reign of his late Majeſty King *George* the Second, intituled, *An act for veſting part of the eſtates intailed by the will of the moſt noble* Charles Noel, *duke of* Beaufort, *deceaſed, in truſtees, to be ſold, and for purchaſing other eſtates, to be ſettled to the like uſes, and for impowering the guardian and truſtees named in the ſaid will, to make leaſes of the ſaid duke's eſtates, in the counties of* Glouceſter, Wilts, Hants, Devon, Dorſet, Glamorgan, *and* Brecon, *during the minority of his children.*

50. An act for confirming a partition of ſo many of the eſtates of *Charles* late duke of *Somerſet*, deceaſed, as were by him ſettled and deviſed to the uſe of *Frances* late marchioneſs of *Granby*, and of *Charlotte* counteſs of *Aylesford*, his two daughters, and their iſſue, in ſtrict ſettlement, with ſeveral remainders over; and for veſting and ſettling the entire premiſſes to the ſeveral uſes therein mentioned; and for the ſeveral other purpoſes therein mentioned.

51. An act for rectifying a miſtake in the name of one of the truſtees in the ſettlement made upon the marriage of the right honourable *William* earl of *Harrington*, with the right honourable *Carolina* counteſs of *Harrington* his wife.

52. An act for explaining and amending the marriage ſettlement of *Edward* lord *Winterton*, in the kingdom of *Ireland*, by impowering him to ſell part of the eſtates in the counties of *Suſſex*, *Surrey*, and *Norfolk*, therein compriſed, and for lay-out the monies ariſing by ſuch ſale, in the purchaſe of other eſtates of equal or greater value, to be ſettled to the uſes of the ſaid marriage ſettlement, and for other purpoſes therein mentioned.

53. An act to enable Sir *Nicholas Hacket Carew*, baronet, to grant a leaſe, or leaſes, of part of his ſettled eſtate, for the improvement thereof, purſuant to a contract by him entered into for that purpoſe

54. An act for veſting the capital meſſuage, with the lands and hereditaments thereunto belonging, at *Southgate*, in the

parish of *Edmonton*, and at *Frian Barnett*, in the county of *Middlesex*, and at *East Barnett*, in the county of *Hertford*, late part of the estate of *James Colebrooke*, esquire, deceased, comprized in the marriage settlement of Sir *George Colebrooke*, baronet, in him and his heirs, and for settling other lands and hereditaments, in the counties of *Surrey* and *Middlesex*, of equal value, to the same uses, in lieu thereof, and for other purposes in the said act mentioned.

55. An act for discharging certain leasehold houses and tenements, comprized in the marriage settlement of *Humphreys Ram*, esquire, from the trusts of the settlement, and for settling freehold houses of greater value in lieu thereof.

56. An act for vesting a toft or scite of a copyhold house, in *Richmond*, in the county of *Surrey*, lately pulled down, in trustees, to be sold, leased, or otherwise disposed of, for the benefit of the persons claiming under the will of *Matthias Perkins*, gentleman, deceased; and for impowering *John Perkins*, his son, to make such leases of his estate, at *Richmond* and *Tuddington*, as are therein mentioned.

57. An act for discharging divers lands, estates, and hereditaments, devised by the will of *Thomas Ruggles*, esquire, deceased, from the uses and trusts of the said will; and for settling other lands and tenements, of greater value, in lieu thereof, to the like uses.

58. An act for vesting the settled estate, late of *Ralph Jenison*, esquire, deceased, at *Great Walworth*, in the county of *Durham*, in trustees, in trust, to be conveyed to *John Dixon*, gentleman, and his heirs, pursuant to a decree, and subsequent orders, of the court of chancery at *Durham*.

59. An act to enable *Joseph Fell*, esquire, to make a lease of a farm and lands in *Walthamstowe*, in the county of *Essex*, for a term of ninety nine years.

60. An act to enable *John Holden*, gentleman, and *Thomas Holden*, his son, an infant, and their trustees, to raise the sum of one thousand pounds, upon certain estates in *Leicestershire* and *Warwickshire*, or on a sufficient part thereof, to be applied for the purposes therein mentioned.

61. An act for vesting two acres of land in *Walton upon Thames*, in trustees, to be sold, and conveyed to the executors of *Samuel Dicker*, esquire, for the benefit of *Mary Delver*, an infant.

62. An act for vesting divers lands and hereditaments, in the parish of *Igborough*, in the county of *Norfolk*, part of the settled estate late of *Henry Ord*, esquire, deceased, in trustees to convey the same to *James Nelthorpe*, esquire, and his heirs, and to lay out the money to be paid for the same, in the purchase of other lands and hereditaments, to be settled to the uses therein mentioned.

63. An act for vesting certain estates, in the parish of *Saint Botolph Billingsgate*, *London*, late the estate of *William Clapham*, gentleman, in trustees, for the uses and purposes therein mentioned.

64. An

64. An act for ſale of part of the ſettled eſtate of *Thomas Carew*, of *Crowcombe*, in the county of *Somerſet*, eſquire, and for ſettling other lands and hereditaments, of greater value in lieu thereof, to the ſame uſes.

65. An act for veſting the ſettled eſtate of *John Weller*, eſquire, deceaſed, lying in the counties of *Kent* and *Cheſter*, in truſtees, to be ſold, to pay off incumbrances affecting the ſame, and to lay out the ſurplus of the money ariſing by ſuch ſale (if any) in the purchaſe of other lands to be ſettled to the uſes of the will of ſaid *John Weller*.

66. An act to enable *William Richards* and *Edward Richards*, infants, and their heirs, to take and uſe the ſurname, and bear the arms of *Powell*, purſuant to the will of *Roger Powell*, eſquire, deceaſed.

67. An act to enable *Charles Smith*, an infant, lately called *Charles Loraine*, and his heirs, to take, and uſe, the ſurname of *Smith*, purſuant to the will of *Richard Smith*, eſquire, deceaſed.

68. An act for naturalizing *Luke Wettſtein*, *Peter Texier*, junior, and *Daniel Goy*.

69. An act for naturalizing *John Doerner*.

A

TABLE

Containing the TITLES of all the

STATUTES

PUBLICK and PRIVATE,

Paſſed *Anno tertio*

GEORGII III. *Regis.*

Being the Second Seſſion of the Twelfth Parliament of GREAT BRITAIN.

PUBLICK ACTS.

AN act for continuing and granting to his Majeſty certain duties upon malt, mum, cyder, and perry, for the ſervice of the year one thouſand ſeven hundred and ſixty-three.

II. An act for granting an aid to his Majeſty by a land tax to be raiſed in *Great Britain*, for the ſervice of the year one thouſand ſeven hundred and ſixty-three.

III. An act for the regulation of his Majeſty's marine forces while on ſhore.

IV. An act for rectifying miſtakes in the names of ſeveral of the commiſſioners appointed by an act made in the laſt ſeſſion of parliament, to put in execution an act made in the ſame ſeſſion, intituled, *An act for granting an aid to his Majeſty by a land tax, to be raiſed in* Great Britain, *for the ſervice of the year one thouſand ſeven hundred and ſixty-two*; and for appointing other commiſſioners, together with thoſe named in the firſt-mentioned act, to put in execution an act of this ſeſſion of parliament, for granting an aid to his Majeſty by a land tax, to be raiſed in *Great Britain*, for the ſervice of the year one thouſand ſeven hundred and ſixty-three.

V. An act to indemnify ſuch as have omitted to qualify themſelves for offices and employments, and to indemnify juſtices of the peace, deputy lieutenants, and officers of the

militia, or others, who have omitted to regiſter or deliver in their qualifications within the time limited by law, and for giving further time for thoſe purpoſes; and for the making and filing of affidavits of articles of clerkſhip.

VI. An act for explaining and amending an act made in the thirty-firſt year of the reign of his late Majeſty King *George* the Second, intituled, *An act for the due making of bread, and to regulate the price and aſſize thereof, and to puniſh perſons who ſhall adulterate meal, flour, or bread*; ſo far as the ſame relates to that part of *Great Britain* called *Scotland*; and for rendering the ſaid act more effectual in that part of the united kingdom.

VII. An act for puniſhing mutiny and deſertion; and for the better payment of the army and their quarters.

VIII. An act to enable ſuch officers, marines, and ſoldiers, as have been in the land or ſea ſervice, or in the marines, ſince the twenty-ſecond year of his late Majeſty King *George* the Second, to exerciſe trades.

IX. An act for granting annuities to ſatisfy certain navy, victualling, and tranſport bills, and ordnance debentures; and for charging the payment of ſuch annuities on the ſinking fund; and making good the ſame to the ſaid fund, in manner therein mentioned.

X. An act for applying the money granted in this ſeſſion of parliament, for defraying the charge of the pay and cloathing of the militia of that part of *Great Britain* called *England*, for one year, beginning the twenty-fifth day of *March*, one thouſand ſeven hundred and ſixty-three, and for appointing a time and place for exerciſing the militia in the ſaid year.

XI. An act for explaining and amending an act made in the thirty-firſt year of the reign of his late Majeſty King *George* the Second, intituled, *An act for the due making of bread, and to regulate the price and aſſize thereof; and to puniſh perſons who ſhall adulterate meal, flour, or bread.*

XII. An act for granting to his Majeſty ſeveral additional duties upon wines imported into this kingdom, and certain duties upon all cyder and perry; and for raiſing the ſum of three millions five hundred thouſand pounds, by way of annuities and lotteries, to be charged on the ſaid duties.

XIII. An act for more effectually ſecuring the payment of the duties upon malt, by preventing frauds in the obtaining of allowances, and the mixing of freſh corn or grain with corn or grain making into malt.

XIV. An act for the encouragement of *John Harriſon*, to publiſh and make known his invention of a machine or watch, for the diſcovery of the longitude at ſea.

XV. An act to prevent occaſional freemen from voting at elections of members to ſerve in parliament for cities and boroughs.

XVI. An act to impower the commiſſioners or governors of the royal hoſpital for ſeamen at *Greenwich*, after defraying the neceſſary expences thereof, to provide for ſuch ſeamen worn out

and

and become decrepit in the ſervice of their country, who ſhall not be provided for within the ſaid hoſpital; and to enable them to receive ſuch penſions as ſhall be granted them by the ſaid commiſſioners or governors, in the moſt eaſy and convenient manner; and for preventing frauds and abuſes attending the ſame.

XVII. An act for raiſing a certain ſum of money by loans or exchequer bills for the ſervice of the year one thouſand ſeven hundred and ſixty-three; and for further appropriating the ſupplies granted in this ſeſſion of parliament; and for allowing his Majeſty's ſubjects to import their goods and effects, being the produce of certain places ceded to *France* and *Spain* by the late treaty of peace, upon payment of the ſame duties as they would have been liable to, if ſuch places had remained in his Majeſty's poſſeſſion.

XVIII. An act for granting to his Majeſty a certain ſum of money out of the ſinking fund; and for applying certain monies remaining in the exchequer for the ſervice of the year one thouſand ſeven hundred and ſixty-three.

XIX. An act for the more eaſy and ſpeedy recovery of ſmall debts within the hundreds of *Bradford*, *Melkſham*, and *Whorlſdown*, in the county of *Wilts*.

XX. An act for permitting the importation, from *Ireland*, of ſtale and dirty butter, not fit for eating, commonly called *greaſe butter*.

XXI. An act for explaining, amending, and rendering more effectual, an act made in the nineteenth year of the reign of King *Henry* the Seventh, intituled, "*Silk works.*"

XXII. An act for the further improvement of his Majeſty's revenue of cuſtoms; and for the encouragement of officers making ſeizures; and for the prevention of the clandeſtine running of goods into any part of his Majeſty's dominions.

XXIII. An act to explain, amend, and render more effectual, an act made in the laſt ſeſſion of parliament, intituled, *An act for paving, cleanſing, and lighting, the ſquares, ſtreets, and lanes, within the city and liberty of* Weſtminſter, *the pariſhes of* Saint Giles in the Fields, Saint George the Martyr, Saint George Bloomſbury, *that part of the pariſh of* Saint Andrew's Holbourn *which lies in the county of* Middleſex, *the ſeveral liberties of the* Rolls *and* Savoy, *and that part of the dutchy of* Lancaſter *which lies in the county of* Middleſex, *and for preventing annoyances therein; and for other purpoſes therein mentioned.*

XXIV. An act to prevent fraudulent and occaſional votes in the elections of knights of the ſhire, and of members for cities and towns which are counties of themſelves, ſo far as relates to the right of voting by virtue of an annuity or rent charge.

XXV. An act to continue and amend two acts made in the twenty-firſt and twenty eighth years of his late Majeſty's reign, for encouraging the making of indico in the *Britiſh* plantations in *America*; and for extending the proviſions of an act of the thirtieth year of his late Majeſty's reign, with reſpect to bring-

ing prize goods into this kingdom, to *Spaniſh* prize goods taken ſince the late declaration of war with *Spain*.

XXVI. An act to continue and render more effectual two acts of parliament for repairing the roads from *Lemsford Mill*, through *Welwyn* and *Stevenage*, and by *Cory's Mill*, to *Hitchin*; and from *Welwyn*, through *Codicot*, to *Hitchin*, in the county of *Hertford*.

XXVII. An act to continue and render more effectual two acts of parliament for repairing and widening the road leading from the *Black Bull Inn* in *Dunſtable*, in the county of *Bedford*, to the way turning out of the ſaid road up to *Shafford Houſe*, in the county of *Hertford*.

XXVIII. An act for continuing an act paſſed in the eleventh year of his late majeſty King *George* the Second, intituled, *An act for laying a duty of two pennies Scots, or one ſixth part of a penny ſterling, upon every Scots pint of ale and beer which ſhall be brewed for ſale, brought into, vended, tapped, or ſold, within the town of* Aberbrothock, *and liberties thereof*.

XXIX. An act for enlarging the term and powers granted by two acts of parliament of the ſixth and twelfth years of his late Majeſty's reign, for repairing the road from *Fyfield* in the county of *Berks*, to *Saint John's Bridge* in the county of *Glouceſter*, and from an inn called the *Hind's Head*, in the pariſh of *Kingſton Bagpuze* in the ſaid county of *Berks*, to that part of *Newbridge* which ſtands in the ſaid county of *Berks*; and for rendering the ſaid acts more effectual.

XXX. An act to enlarge the term and powers granted by an act made in the eighteenth year of the reign of his late majeſty King *George* the Second, intituled, *An act to repair and widen the road leading from* Godmancheſter *in the county of* Huntingdon, *through* Fen Stanton *and* Cambridge, *to the firſt rubbing houſe on* Newmarket Heath, *in the county of* Cambridge.

XXXI. An act for repairing and widening the road from a place called *Nightingales*, in the townſhip of *Heath Charnock*, to the bridge at the weſt end of the town of *Bolton in the Moors*, in the county palatine of *Lancaſter*.

XXXII. An act for repairing the road from *Newmarket*, over *Newmarket Heath*, to the turnpike road leading to *Stump Croſs*, in the counties of *Cambridge* and *Suffolk*.

XXXIII. An act for repairing, widening, and keeping in repair, the road from *Kirkby Kendall*, in the county of *Weſtmoreland*, to *Kirkby Ireleth*, in the county of *Lancaſter*.

XXXIV. An act for repairing, widening, and keeping in repair, the high road leading from the fourteen mile ſtone, in the pariſh of *Mothvey*, in the county of *Carmarthen*, through *Llandovery*, to *Llydiad y Gwyn*, in the pariſh of *Llandilo vawr*; and from thence by *Cledfulch*, and over *Duleſs Bridge*, to the town of *Landilo vawr*; and from the ſaid town along the poſt road, by *Rhwyradar*, through the county borough of *Carmarthen*, and village of *Saint Clears*, to *Tavern Spite*, in the pariſh of *Kiffig*, at the borders of the county of *Pembroke*.

XXXV. An

XXXV. An act for repairing, widening, and keeping in repair, several roads leading from the town of *Barnstaple*, in the county of *Devon*.

XXXVI. An act for repairing, widening, turning, and keeping in repair, the road from the town of *Cambridge* to *Ely*, and from thence to *Soham*; and for building a bridge cross the river *Ouze*, at or near a place called *Stretham Ferry*, in the county of *Cambridge*.

XXXVII. An act to continue and render more effectual several acts of parliament for repairing the road from *Highgate Gate-house*, in the county of *Middlesex*, to *Barnet Block-house*, in the county of *Hertford*; and the road from the *Bear Inn* in *Hadley*, to the *Angel* in *Enfield Chace*; and also *Canewood Lane*, leading from *Highgate* to *Hampstead*, in the said county of *Middlesex*; and for repairing and widening the road, being part of the great *North Road* from *London*, beginning at *Barnet Blockhouse*, and ending at the *Bear Inn* in *Hadley* aforesaid.

XXXVIII. An act for amending and widening several roads leading from or near the north end of the town and borough of *Totnes*, in the county of *Devon*.

XXXIX. An act for making a navigation from the river *Humber*, by a canal or cut, at or near *Tetney Haven*, to the river *Ludd*, in the parish of *Alvingham*, in the county of *Lincoln*; and for continuing the said navigation in or near the said river, from thence, to or near the town of *Louth*, in the said county.

XL. An act for maintaining, regulating, and employing the poor within the parish of *Saint Matthew Bethnal Green*, in the county of *Middlesex*.

XLI. An act for paving, lighting, and cleansing the city of *Coventry*, and its suburbs; for preventing annoyances therein; and for better ordering the publick wells and pumps there.

XLII. An act for continuing the duties, and enlarging the powers, granted by two acts made in the fifth and twenty-fifth years of his late Majesty's reign, for enlarging the pier and harbour of *Scarborough* in the county of *York*.

XLIII. An act for repairing, widening, and keeping in repair, the road leading from the turnpike road, between *Oswestry* and *Wrexham*, at or near *Whithurst's House*, through *Llangollen*, to the most proper and commodious joining of the turnpike road leading from *Wrexham* to *Ruthin*, at or near *Tavarn Dwyrarch*; and from *Llangollen* aforesaid, through *Acre Fair Colliery*, to the *Finger Post*, at the joining of the road leading from *Oswestry* to *Wrexham* in the county of *Denbigh*.

XLIV. An act for repairing and widening the road, and opening a communication, from the house of *Thomas Hughes* esquire, adjoining to *Halkin Mountain*, to *Farm*; and across the old post road in *Counsillt-fechan*, to a house at *Nant y Moch*, in *Bagillt*, in the occupation of *Thomas Gill*, in the county of *Flint*.

XLV. An act for repairing and widening the road from *Lawton*, in the county of *Chester*, to *Burslem* and *Newcastle under Lyne*, in the county of *Stafford*, and other roads therein mentioned.

XLVI. An

XLVI. An act to continue the term, and enlarge the powers of several acts of parliament for repairing the roads from *Maidenhead Bridge* to *Reading*; and from the said bridge to *Henley Bridge*, in the county of *Berks*.

XLVII. An act to enlarge the term and powers of two acts passed in the first and twelfth years of the reign of his late majesty King *George* the Second, for repairing the road from the powder mills on *Hounslow Heath*, in the county of *Middlesex*, to a place called *Basingstone*, near the town of *Bagshot*, in the parish of *Windlesham*, in the county of *Surrey*.

XLVIII. An act for the better cleansing and enlightening the streets, lanes, and publick ways, of the city of *York*, and the suburbs thereof, and of the liberty of *Saint Peter* within the said city; and for keeping the same in repair and free from annoyance; and for regulating the hackney coachmen and chairmen, carmen and draymen, within the same.

XLIX. An act for taking down the parish church of *Saint Andrew*, in the city of *Canterbury*; and for building a new church in a more convenient place.

L. An act for vesting certain parcels of land in *Paddington*, in the county of *Middlesex*, in the rector and churchwardens of the parish of *Saint George Hanover Square*, in the said county; and appropriating the same for a burial ground for the said parish.

LI. An act to amend and render more effectual so much of an act passed in the last session of parliament, intituled, *An act for amending and widening the road from the market house in* Stourbridge, *to* Colley Gate, *in* Cradley, *and from* Pedmore *to* Holly Hall, *and from* Colley Gate *to* Halesowen, *and from the turnpike road on* Dudley Wood *to* Rednall Green, *in the parish of* King's Norton, *and from* Carter's Lane *to the* Bell Inn *at* Northfield, *in the counties of* Worcester, Stafford, *and* Salop, as relates to the road from the turnpike road on *Dudley Wood* to *Rednal Green*, and from *Carter's Lane* to the *Bell Inn* at *Northfield*.

LII. An act for amending and widening the roads leading from *New Street* and *Pig Street*, in *Penryn*, in the county of *Cornwall*, to *Redruth*, in the same county.

LIII. An act for maintaining, regulating, aud employing the poor within the parish of *Saint Mary Whitechapel*, in the county of *Middlesex*; for cleansing and lighting the squares, streets, lanes, alleys, courts, yards, and other open passages and places, and regulating and keeping a nightly watch, within such parts of the said parish as are not within the liberties of the tower of *London*, or city of *London*; and to enable the parishioners to raise money to defray the expences of repairing the said parish church.

LIV. An act for the better and more easy rebuilding of the town of *Wareham* in the county of *Dorset*; and for determining differences touching houses and buildings burnt down or demolished by reason of the late dreadful fire there, and for preventing future danger by fire.

LV. An

LV. An act for lighting the ſtreets and other places, and maintaining a regular and nightly watch, within the town and county of the town of *Newcaſtle upon Tyne*; and for regulating the hackney coachmen and chairmen, cartmen, porters, and watermen within the ſame.

LVI. An act for the better paving of the ſtreets, and for preventing nuſances and other annoyances in the town of *Goſport*, in the county of *Southampton*.

LVII. An act for continuing and enlarging the term and powers of an act made in thirty-ſecond year of the reign of his late majeſty King *George* the Second, for repairing and widening the road from the town of *Derby*, to the town of *Newcaſtle under Lyne*, in the county of *Stafford*; and for repairing and widening the road from *Cliffebank* to *Snape Marſh*, in the village of *Shelton*, in the county of *Stafford*.

LVIII. An act to continue the term and enlarge the powers of two acts of parliament, for repairing the highways from *Whitechapel* church, in the county of *Middleſex*, to *Woodford*, in the county of *Eſſex*; and for enlightening and watching part of the ſaid highway from *Whitchapel* church to *Stratford*; and for repairing the road through the pariſhes of *Chigwell* and *Lambourn*, in the county of *Eſſex*.

LIX. An act for repairing and widening the road leading from the town of *Stafford* to *Sandon*, in the county of *Stafford*; and ſeveral other roads in the counties of *Salop* and *Stafford*.

PRIVATE ACTS.

AN act to enable the right honourable *Henry Fox*, to take, in *Great Britain*, the oaths of office, as writer of the tallies and counter tallies, and clerk of the pells, in the receipt of the exchequer, in the kingdom of *Ireland*; and to qualify himſelf for the enjoyment of the ſaid offices.

2. An act for naturalizing *Jeremiah Meyer*.

3. An act for naturalizing *John Vander Meulen*.

4. An act for naturalizing *Adolph Boon*, *James Des Cotes*, *Anthony Francis Haldimand*, *Samuel Boueſs*, and *John Werner Faeſch*.

5. An act for naturalizing *David Wolpman*, *John Siri*, *Francis Philip Fatio*, *David Plantier*, *William Stafford*, and *Francis Delon*.

6. An act to enable *John* earl of *Sandwich*, *Robert Nugent* eſquire, and *Richard Rigby* eſquire, to take in *Great Britain*, the oath of office, as vice treaſurer, and receiver-general, and paymaſter-general of all his Majeſty's revenues in the kingdom of *Ireland*, and to qualify themſelves for the enjoyment of the ſaid offices.

7. An

7. An act for extinguiſhing the right of average in and upon all the ancient incloſures, in the townſhip of *Clifton*, in the county of *York*, and in *Bootham* in the ſuburbs of the city of *York*; and for dividing and incloſing the common and moor of *Clifton* aforeſaid.

8. An act for dividing and incloſing the open and common fields, common meadows, common paſtures, common grounds, and waſte grounds, in the manor and pariſh of *Woodford*, in the county of *Northampton*.

9. An act for dividing and incloſing the open and common fields, heath and waſte grounds, within the manor and pariſh of *Greetham*, in the county of *Rutland*.

10. An act for enlarging the times appointed by an act paſſed in the ſecond year of the reign of his preſent Majeſty, for dividing and incloſing a certain moor or common, within the manor of *Evenwood*, and chapelry of *Saint Helen's Auckland*, and county of *Durham*, for certain arbitrators therein named to make their awards; and for certain commiſſioners therein mentioned, to ſet out, divide, and allot, the ſaid moor or common.

11. An act for dividing and incloſing the common fields, common meadows, common paſtures, common grounds, and commonable lands, in the manor of *Draycott*, in the pariſh of *Wilne*, in the county of *Derby*.

12. An act for dividing and incloſing the ſeveral open and common fields, common meadows, commons, and waſte grounds, within the manor and pariſh of *Scropton*, in the county of *Derby*.

13. An act for dividing and incloſing ſeveral commons and waſte grounds, within the manor and townſhip of *Lowton*, in the county of *Lancaſter*.

14. An act for dividing, incloſing, and allotting, the commons and waſte grounds, moſs rooms, and parcels of moſs grounds, within the manor and townſhip of *Aſtley*, in the county palatine of *Lancaſter*.

15. An act for incloſing and dividing ſeveral lands and grounds in the pariſh of *Sutton*, in *Holderneſs*, in the county of *York*.

16. An act for incloſing and dividing the common fields and paſturage ground, in the manor and pariſh of *Veilingore*, in the county of *Lincoln*.

17. An act for explaining and amending a power given by the marriage ſettlement of *Nathanael Neal* gentleman, and *Elizabeth* his wife; and for making the ſame more effectual, for the benefit of the children of that marriage.

18. An act for veſting part of the ſettled eſtate of *John Lade* he younger, and *Heſter* his wife, ſituate at *Barham*, in the ounty of *Kent*, in truſtees, to be ſold; and for laying out the money, to ariſe by ſuch ſale, in the purchaſe of other lands, to be ſettled to the ſame uſes.

19 An act to diſſolve the marriage of *William Hazeland* clerk,

clerk, with *Mary Walley* his now wife, and to enable him to marry again; and for other purpoſes therein mentioned.

20. An act for enabling *Anne Barbara Hill Medlycott*, to take and uſe the ſurname and arms of *Medlycott*, purſuant to the will of *Thomas Medlycott* eſquire, deceaſed.

21. An act for naturalizing *Jacob Reeſſen*.

22. An act for naturalizing *Joſiah Child*, an infant, of the age of nine years.

23. An act for naturalizing *Samuel Chollet*, *John Francis Gabriel Bize*, and *Samuel Grellet*.

24. An act for naturalizing *Abraham Huber*.

25. An act for naturalizing *Rodolff Nicholas Chaillet*, and *Abraham Du Bois*.

26. An act for naturalizing *John D'Orville*, *Michael Wiegand*, *John Vollraht Kettler*, *Cornelius Gerhard Kettler*, and *James Shedel*.

27. An act for veſting certain lands, tenements, rents, and hereditaments, in the pariſh of *Taviſtock*, in the county of *Devon*, and elſewhere, in his grace *John* duke of *Bedford*; and for ſettling and aſſuring, in lieu thereof, a rent charge of greater value, to be iſſuing out of lands and tenements belonging to the ſaid duke, for the purpoſes in the bill mentioned.

28. An act for dividing and incloſing ſeveral open and common fields, lands, and waſte grounds, within the manor and pariſh of *Pirton*, in the county of *Worceſter*.

29. An act for dividing and incloſing the open and common fields, common meadows, and commonable lands, within the pariſh of *Childſwickam*, in the county of *Glouceſter*.

30. An act for dividing and incloſing the common fields, paſtures, and common grounds, in the chapelry and lordſhip of *Marfleet*, in *Holderneſs*, in the county of *York*.

31. An act for dividing and incloſing the commons, common paſtures, and common fields, in the manor of *Litton*, in the pariſh of *Tideſwell*, in the county of *Derby*.

32. An act for dividing and allotting certain open fields, meadows, and ſtinted paſtures, in the townſhip and pariſh of *Pilham*, in the county of *Lincoln*.

33. An act for dividing and incloſing *Stone Common*, within the manor and pariſh of *Stone*, in the county of *Worceſter*.

34. An act for dividing and incloſing the open and common fields in the townſhip of *Merton*, in the county of *Oxford*; and for making a compenſation for common of paſture, and tithes ariſing therein.

35. An act to enable the maſter, fellows, and ſcholars, of the college of *Clarehall*, in the univerſity of *Cambridge*, to alter and vary the benefactions of doctor *Blyth*; and to appropriate the ſame for the benefit of the ſaid college, in the augmentation of the vicarages of *Everton*, with *Tetworth* and *Great Granſden*, in the counties of *Bedford* and *Huntingdon*.

36. An act to enable the maſter, fellows, and ſcholars, of *Jeſus' College*, in the univerſity of *Cambridge*, to alter and vary

the benefaction of doctor *Edmund Proby*, and Sir *Thomas Proby*; and to appropriate the ſame for the benefit of the ſaid college, in the augmentation of ſeveral ſmall rectories and vicarages.

37. An act for veſting certain lands in the counties of *Eſſex* and *Cambridge*, belonging to the maſter, fellows, and ſcholars, of the college called *Jeſus' College*, in the univerſity of *Cambridge*, in Sir *William Maynard* baronet, and his heirs.

38. An act for veſting part of the ſettled eſtates of *Samuel Daſhwood* eſquire, in truſtees, for raiſing money to pay debts and incumbrances; and for providing an equivalent or compenſation for the ſame, to the iſſue inheritable under his marriage ſettlement.

39. An act for veſting ſeveral meſſuages, lands, and tenements, late the eſtate of *James Joye* eſquire, deceaſed, ſituate in the pariſh of *Saint Mary le Strand*, in the county of *Middleſex*, in new truſtees; and to enable them to make building leaſes thereof.

40. An act for ſale of certain meſſuages, lands, and tenements, in *North Cerney*, in the county of *Glouceſter*, late the eſtate of *Edward Pickering Rich*, purſuant to an agreement; and for applying the purchaſe-money in diſcharging incumbrances affecting the ſame; and for the benefit of *Thomas Rich*, his ſon and heir, an infant.

41. An act for dividing and incloſing the common moor or waſte ground, within the hamlet of *Winſter*, in the pariſh of *Youlgreave*, in the county of *Derby*.

42. An act for dividing and incloſing ſeveral common fields and grounds, within the pariſh of *Glentham*, in the county of *Lincoln*.

43. An act for carrying into execution, an agreement entered into between the governor and company of undertakers for raiſing the *Thames Water*, in *York Buildings*, the truſtees for annuities on lives, *William Lock* eſquire, his grace *Edward* duke of *Norfolk*, and partners, Sir *Andrew Chadwick* knight, and the reverend *Samuel Grove* clerk, all real creditors of the ſaid governor and company; and for authorizing and directing the court of ſeſſion in *Scotland*, to proceed to a ſale of ſuch parts of the eſtates of *Mariſchal*, *Panmure*, *Southeſk*, and others, purſuant to the ſaid agreement, as were leaſed to Sir *Archibald Grant* baronet, and *Alexander Garden* eſquire.

44. An act to diſcharge certain manors and lands, in the county of *Bedford*, the eſtates of the moſt noble *George* duke of *Marlborough*, from certain truſts and agreements created and entered into by the ſaid duke, whereby the ſaid eſtates were to be ſettled on lord *Charles Spencer*, brother to the ſaid duke, and his iſſue, in ſtrict ſettlement; and for ſettling other lands and hereditaments, in the county of *Oxford*, in lieu thereof; and likewiſe for varying, and carrying into execution certain other truſts and agreements of the ſaid duke, for the making a ſettlement of certain manors and lands, in the county of *Lincoln*, upon lord *Robert Spencer*, now an infant, another brother

of

of the ſaid duke, and his iſſue, in like ſtrict ſettlement; and for other purpoſes.

45. An act to enable his Majeſty to grant certain eſtates, deviſed by the will of *Henry* late lord *Colerane*, in the kingdom of *Ireland*, deceaſed, to truſtees, in truſt for *Henrietta Roſa Peregrina Hare*, and her heirs, ſubject to the uſes, limitations, and proviſions, mentioned in the ſaid will; and to two annuities payable to *Roſe Dupleſſis*: and alſo to certain ſums payable to *Robert Knight*, and to *Henry Knight*, and *Anne* the wife of *William Baſſet*; and for other purpoſes in the ſaid act mentioned.

46. An act for authorizing the executors of *John Hope* to aſſign to truſtees, twenty thouſand pounds of the ſtock or capital therein mentioned, part of the marriage portion of *Jane* the wife of *John Paterſon* eſquire, to be employed in manner and for the purpoſes therein expreſſed.

THE STATUTES at Large, &c.

Anno ſecundo GEORGII III.

At the Parliament begun and holden at *Weſtminſter*, the nineteenth day of *May*, *Anno Dom.* 1761, in the firſt year of the reign of our Sovereign Lord *GEORGE* the Third, by the grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, &c.

And from thence continued by ſeveral prorogations to the third day of *November* following; being the firſt ſeſſion of the twelfth parliament of *Great Britain*.

CAP. I.

An act for enabling his Majeſty to make proviſion for ſupporting the royal dignity of the Queen, in caſe ſhe ſhall ſurvive his Majeſty.

Moſt Gracious Sovereign,

WHEREAS your Majeſty's moſt faithful commons reflect with the greateſt pleaſure on the joyful and auſpicious event of your Majeſty's royal nuptials with a princeſs, deſcended from an illuſtrious proteſtant line, diſtinguiſhed by the moſt eminent graces and endowments, and worthy to be the royal partner of your throne, by poſſeſſing every virtue that can adorn it, and have a juſt ſenſe of that affectionate regard which your Majeſty has ſhewn for your people, by conſulting on this moſt important and intereſting occaſion, as on every other, their happineſs and that of their poſterity, and are truly ſenſible how acceptable it will be to your Majeſty, that a good, certain, and competent revenue be ſettled for ſupporting the honour and dignity of her Majeſty, your royal conſort, in caſe ſhe ſhould ſurvive your Majeſty (whoſe lives God long preſerve). And whereas by an act made in the firſt year of the reign of her late Majeſty Queen *Anne*, for preſerving the inheritance of ſeveral revenues of the crown, intituled, *An act for the better ſupport of her Majeſty's houſhold, and of the honour and dignity of the crown*, all grants thereof (other than ſuch as are therein expreſſed) are declared to be void; and by another act made in the ninth year of her ſaid late Majeſty's reign, intituled, *An act for eſtabliſhing a general poſt office for all her Majeſty's dominions, and for ſettling a weekly ſum out of the revenues thereof, for the ſervice of the war, and other her Majeſty's occaſions*, it was enacted, That ſuch part of the duties and revenues ariſing in or by the general

Preamble.

1 Annæ.

9 Annæ.

letter office or poſt office, which was thereby veſted in her ſaid late Majeſty, her heirs, and ſucceſſors, and therein mentioned to be undeterminable, ſhould not be alienable, chargeable, or grantable for any eſtate, term, or time whatſoever, to endure longer than the life of the King or Queen that ſhould make ſuch alienation, charge, or grant reſpectively; and that all gifts, grants, alienations, and aſſurances whatſoever, to be had or made of, and charged upon, the ſame duties or revenues, or any part thereof, contrary to the proviſion of that act, ſhould be null and void: and whereas by an act made in the laſt

1 Geo. 3. ſeſſion of parliament, intituled, *An act for the ſupport of his Majeſty's houſhold, and of the honour and dignity of the crown of* Great Britain, the duties and revenues commonly called *The hereditary revenues*, together with ſeveral temporary duties and revenues thereby continued, and all other branches and revenues which, on the twenty-fourth day of *October*, one thouſand ſeven hundred and ſixty, ſtood ſettled or appointed to be towards the ſupport of the houſhold of his late Majeſty King *George* the Second of bleſſed memory, and the honour and dignity of the crown, were (except as is therein excepted) directed to be, during your Majeſty's life, carried to, and made part of, the general or aggregate fund eſtabliſhed by an act made in the firſt year of the reign of his late Majeſty King *George* the Firſt; and for the ſupport of your Majeſty's houſhold, and of the honour and dignity of your crown, a certain yearly rent or rents, or ſum or ſums of money, was or were by the ſaid act granted out of the ſaid fund: *now we do moſt humbly, cheerfully, and unanimouſly beſeech your Majeſty that it may be enacted, and* be it enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That it ſhall and may be lawful to and for the King's moſt excellent Majeſty, by any letters patent, or indenture, or by ſeveral letters patent or indentures, under the great ſeal of *Great Britain*, hereafter to be made, to give and grant to her ſaid Majeſty the Queen, or to ſuch other perſon or perſons as his Majeſty ſhall think fit, to be named in ſuch letters patent, indenture or indentures, and his or their heirs, to the uſe of, or in truſt for her Majeſty, one annuity or yearly rent or ſum of one hundred thouſand pounds of lawful money of *Great Britain*; which annuity or yearly ſum of one hundred thouſand pounds, and every part thereof, ſhall commence and take effect immediately from and after the deceaſe of his Majeſty, and continue from thenceforth for and during the natural life of her Majeſty; and ſhall be paid and payable at the four moſt uſual days of payment in the year; that is to ſay, the fifth day of *January*, the fifth day of *April*, the fifth day of *July*, and the tenth day of *October*, by even and equal portions; the firſt payment thereof to be made at ſuch of the ſaid days as ſhall firſt and next happen after the deceaſe of his Majeſty, in caſe her Majeſty the Queen ſhall ſurvive him, as aforeſaid; and that the ſaid annuity or yearly ſum of one hundred thouſand

His Majeſty impowered, by letters patent under the great ſeal, to grant unto the Queen an annuity of 100,000 l.

to take place from the deceaſe of his Majeſty, and continue during her natural life;

the ſame to be paid quarterly,

pounds, ſhall or may, by ſuch letters patent, indenture or indentures, be directed to be iſſuing and payable out of, or charged and chargeable upon all or any part of ſuch of the ſaid duties, revenues, and branches, which by the ſaid act made in the laſt ſeſſion of parliament, intituled, *An act for the ſupport of his Majeſty's houſhold, and of the honour and dignity of the crown of* Great Britain, were carried to, and made part of, the ſaid general or aggregate fund, as ſhall be ſubſiſting after the deceaſe of his preſent Majeſty; and in caſe the duties, revenues, and branches, out of which the ſaid annuity or yearly ſum of one hundred thouſand pounds, ſhall be iſſuing or payable, or charged or chargeable upon, ſhall, at any time or times be deficient to make good the ſame, or any part thereof, ſuch deficiency and deficiencies, ſhall or may, by the ſaid letters patent, indenture or indentures, be directed to be from time to time, as often as ſuch deficiency or deficiencies ſhall ſo happen, ſupplied, iſſuing, and payable out of, or charged and chargeable upon, all and every the duties and revenues which compoſe the ſaid fund, commonly called *The general or aggregate fund*, and every or any of them (after paying or reſerving ſufficient to pay, all ſuch ſum and ſums of money, as hath or have been directed by any former act or acts of parliament to be paid out of the ſame) but with preference to all other payments which ſhall or may hereafter be charged upon, and payable out of, the ſaid fund.

out of the hereditary and other revenues carried to the aggregate fund, by an act of 1 Geo. 3.

and any occaſional deficiency to be made good out of the duties compoſing the ſaid fund,

in preference to all other payments which ſhall hereafter be charged thereupon.

II. And it is hereby further enacted, That the ſaid annuity or yearly ſum of one hundred thouſand pounds, ſhall be paid and payable at the receipt of his Majeſty's exchequer, or by and from the immediate hands of all and every the commiſſioners, farmers, treaſurers, or receivers for the time being of the ſaid duties, revenues, and branches reſpectively, upon which the ſaid annuity or yearly ſum of one hundred thouſand pounds, or any part or parts thereof, ſhall be charged, without any fees or charges to be demanded or taken for paying the ſame, or any part thereof; and the acquittance and acquittances of her Majeſty, or her truſtees, or of her Majeſty's treaſurer or receiver general for the time being, ſhall be a good and ſufficient diſcharge for the payment thereof, without any further or other warrant to be ſued for, had, or obtained in that behalf; and that the ſaid annuity or yearly ſum of one hundred thouſand pounds, and every part thereof, ſhall be free and clear from all taxes, impoſitions, and other public charges whatſoever; and that if the officers of the receipt of his Majeſty's exchequer, or the ſaid commiſſioners, farmers, treaſurers, or receivers for the time being, of all or any of the ſaid duties, revenues, or branches, upon which the ſaid annuity or yearly ſum of one hundred thouſand pounds, or any part or parts thereof, ſhall be charged, as aforeſaid, ſhall refuſe or neglect to pay the ſaid annuity or yearly ſum, or any part thereof, to her Majeſty, her treaſurer, receiver-general, or truſtees, or to do any act neceſſary to enable her Majeſty, or her truſtees, or her treaſurer, or receiver-general to receive the ſame, then her Majeſty, or ſuch her

The ſaid annuity to be paid at the receipt of his Majeſty's exchequer,

free of all taxes and charges;

and the acquittance of her Majeſty, or her truſtees, to be a ſufficient diſcharge.

Officers refuſing or neglecting to perform their duty may be ſued.

truſtees, as aforeſaid, may, from time to time, ſue, proſecute, or implead ſuch officers, commiſſioners, farmers, treaſurers, or receivers, or any of them, or all or any of their ſecurities, heirs, executors, and adminiſtrators, by bill, plaint, or action of debt, and ſhall and may recover judgments, and ſue out executions thereupon againſt ſuch officers, commiſſioners, farmers, treaſurers, or receivers reſpectively, and their reſpective ſecurities, heirs, executors, and adminiſtrators, for ſuch ſum and ſums of money then due and owing upon the ſaid annuity of one hundred thouſand pounds, or any part thereof, as ſhall be in the hands of ſuch officer or officers, commiſſioners, farmers, treaſurers, or receivers reſpectively, at the time or times when demand ſhall be made of the payment of the ſaid yearly ſum, or any part thereof, as aforeſaid, or for the refuſal or neglect to do any act neceſſary to be done by ſuch officer or officers, to enable her Majeſty, or her truſtees, treaſurer, or receiver-general to receive the ſame.

His Majeſty impowered likewiſe to grant, by letters patent under the great ſeal, the palace of Somerſet-Houſe in the Strand, with its rights and appurtenances,

III. And, for the better accommodation of her Majeſty, in caſe ſhe ſhall happen to ſurvive his Majeſty, be it further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for his Majeſty, notwithſtanding any reſtriction contained in the ſaid act made in the firſt year of the reign of her ſaid late Majeſty Queen *Anne*, by any letters patent, indenture or indentures, under the great ſeal of *Great Britain*, to give, grant, ſettle, or aſſure, all that his Majeſty's palace or capital meſſuage called by the name of *Denmark-Houſe*, alias *Somerſet-Houſe*, alias *Strond-Houſe*, ſituate in or near the *Strand*, and in or near the pariſh of *Saint Mary at Strond*, in the county of *Middleſex*, with its rights, members, and appurtenances whatſoever, and all and ſingular houſes, outhouſes, ſtables, coach-houſes, edifices, buildings, courts, yards, gardens, and appurtenances whatſoever, to the ſaid palace or capital meſſuage belonging, and other the premiſſes, or any of them, belonging or appertaining, or accepted, reputed, taken, uſed, or enjoyed, as part, parcel, or member thereof, or any part thereof; and alſo to give, grant, ſettle, or aſſure, all that his Majeſty's houſe, now or heretofore uſually called the *Lodge*, and formerly in the tenure of *John Latton* eſquire, ſituate and being within the park called or known by the name of *Richmond Old Park*, in the county of *Surrey*, and all and ſingular the cloſes, wood grounds, lands, tenements, and hereditaments thereunto belonging, or held or enjoyed therewith by his Majeſty upon his acceſſion to the imperial crown of theſe realms, all which premiſſes are parcel, or reputed parcel, of the manor of *Richmond*, alias *Weſt Sheen*, in the ſaid county of *Surrey*; and alſo all thoſe meſſuages and cloſes of land, commonly called *Keele's Farm*, in the pariſh of *Mortlake*, in the ſaid county of *Surrey*, purchaſed by or in truſt for her late Majeſty; and alſo all ſuch other cloſes, wood grounds, walks, eaſements, lands, tenements, and hereditaments, purchaſed by or in truſt for her ſaid late Majeſty, or his ſaid late Majeſty, or either of them, and added to, or uſed with, the

and alſo the Lodge in Richmond Old Park, and the lands and premiſſes thereunto belonging,

with Keele's Farm in the Pariſh of Mortlake,

ſaid

ſaid park, or any part thereof, or as an eaſement or convenience thereto, and held and enjoyed therewith, by his Majeſty upon his acceſſion to the imperial crown of theſe realms, in as full, large, ample, and beneficial manner and form, as his Majeſty might have given, granted, ſettled, or aſſured the ſame, or any part thereof, if the ſaid act of the firſt year of her ſaid late Majeſty's reign, or any the reſtrictions, clauſes, matters, or things therein contained, had never been had or made; ſo as by ſuch gifts, grants, ſettlements, or aſſurances, or ſome of them, a good and ſure eſtate and intereſt of and in the ſaid palace, or capital meſſuage and appurtenances, and the ſaid houſe or lodge, lands, tenements, hereditaments, and all other the premiſſes aforeſaid, and every of them, be limited, appointed, ſettled, or aſſured, to or for the uſe of, or in truſt for her Majeſty, in ſuch manner that ſhe may have and enjoy the ſole benefit thereof immediately from and after the deceaſe of his Majeſty, during the term of her natural life; and ſo as an eſtate or intereſt be thereby alſo limited, appointed, ſettled, or aſſured, to or for the uſe of, or in truſt for, the executors, adminiſtrators, and aſſigns of her Majeſty, to take effect immediately from and after her deceaſe, and to continue for one whole year from thence next enſuing.

and all other cloſes, &c. added to, or uſed with the ſaid park, and enjoyed therewith at his Majeſty's acceſſion to the crown.

IV. And be it further enacted by the authority aforeſaid, That all and every the powers, precepts, directions, and clauſes, to be contained in his Majeſty's letters patent, indenture or indentures, hereafter to be made, as aforeſaid, for the better and more certain payment and aſſurance of the ſaid annuity, or yearly ſum of one hundred thouſand pounds, and for making the ſaid reſpective revenues, or any of them, or any part thereof, liable thereunto as aforeſaid, and for granting, conveying, ſettling, and aſſuring, of the ſaid palace, or capital meſſuage and appurtenances, houſe or lodge, lands, tenements, hereditaments, and other premiſſes, ſhall be, and are hereby enacted to be good and effectual in the law, according to the tenor and purport thereof, in the ſaid letters patent, indenture or indentures, to be expreſſed, notwithſtanding any reſtriction, or other matter or thing, contained in the ſaid act of parliament made in the firſt year of her late Majeſty's reign, intituled, *An act for the better ſupport of her Majeſty's houſhold, and of the honour and dignity of the crown*, and notwithſtanding any reſtriction, or other matter or thing, contained in the ſaid act made in the ninth year of her ſaid late Majeſty's reign, for eſtabliſhing the poſt-office, or in any other act or acts of parliament, and any miſrecital, non-recital, omiſſion, or other defect, in the ſaid letters patent, indenture or indentures, hereafter to be made, in any wiſe notwithſtanding.

The ſaid letters patent, &c. deemed good in law, notwithſtanding any reſtriction in the act 1 Annæ, or 9 Annæ.

V. Saving to all and every perſon and perſons, bodies politic and corporate, their heirs, executors, adminiſtrators, and aſſigns (other than to the King's Majeſty, his heirs, and ſucceſſors, and other than to ſuch perſon or perſons, who do or may ſtand ſeiſed or poſſeſſed in truſt for his Majeſty, his heirs,

Reſervation of rights.

and ſucceſſors) all ſuch right, title, intereſt, and demand whatſoever, which they, or any of them, have, or may have, of, in, to, or out of, the revenues aforeſaid, or any of them, or of, in, or to, the ſaid palace, or capital meſſuage and appurtenances, houſe or lodge, lands, tenements, hereditaments, and premiſſes, as aforeſaid, ſo to be granted as aforeſaid, or any part thereof, before the making of this act, as fully and effectually, to all intents and purpoſes, as if this act had not been made; any thing therein contained to the contrary notwithſtanding.

CAP. II.

An act to repeal ſo much of an act paſſed in the firſt year of the reign of his preſent Majeſty King George *the third, intituled,* An act for the relief of inſolvent debtors, *as relates to creditors compelling priſoners charged in execution to deliver up their eſtates, and to ſuch priſoners being thereupon diſcharged.*

Preamble.

WHEREAS *an act of parliament was made and paſſed in the firſt year of the reign of his preſent Majeſty King* George *the Third, intituled,* An act for relief of inſolvent debtors: *And whereas by the ſaid act any creditor of any priſoner committed, or who ſhould be committed, and charged in execution, is impowered to compel ſuch priſoner to deliver up his eſtate and effects in order to his being diſcharged, in ſuch manner as by the ſaid act is directed: and whereas great inconveniences have ariſen from ſuch power being given to creditors as aforeſaid; may it therefore pleaſe your Majeſty that it may be enacted, and* be it enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That from and after the nineteenth day of *November*, one thouſand ſeven hundred and ſixty one, ſo much of the ſaid recited act, as relates to creditors compelling priſoners charged in execution to deliver up their eſtates, and to ſuch priſoners being thereupon diſcharged, ſhall be, and the ſame is hereby, repealed, to all intents and purpoſes whatſoever.

The compulſive clauſe in the recited act repealed.

Offences againſt the recited act, notwithſtanding ſuch repeal, may be ſued for,

and the offenders are made liable to the penalties and forfeitures thereby incurred.

II. Provided always, and be it enacted by the authority aforeſaid, That this act ſhall not extend, or be conſtrued to extend, to pardon, indemnify, or diſcharge, any perſon who hath incurred, or, before the ſaid nineteenth day of *November*, one thouſand ſeven hundred and ſixty one, ſhall incur, any penalty or forfeiture, by committing any offence againſt the ſaid act made and paſſed in the ſaid firſt year of his preſent Majeſty's reign, but that every ſuch offender ſhall be liable to the forfeitures and penalties incurred, or, before the ſaid nineteenth day of *November*, one thouſand ſeven hundred and ſixty one, to be incurred, under the ſaid act, made and paſſed in the ſaid firſt year of his preſent Majeſty's reign, as if the ſaid act had not been repealed, and had continued in full force.

CAP.

CAP. III.

An act for granting an aid to his Majeſty by a land tax to be raiſed in Great Britain, *for the ſervice of the year one thouſand ſeven hundred and ſixty two.*

Moſt Gracious Sovereign,

WE, *your Majeſty's moſt dutiful and loyal ſubjects, the commons of* Great Britain, *in parliament aſſembled, taking into our ſerious conſideration ſuch expences as are abſolutely neceſſary for ſupporting your Majeſty's government, and being reſolved to ſupply the ſame, have for that end and purpoſe cheerfully and voluntary given and grantea, and do by this act give and grant unto your Majeſty, the ſeveral and reſpective rates and aſſeſſments hereafter mentioned; and we do moſt humbly beſeech your Majeſty that it may be enacted;* and be it enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That the ſum of two millions thirty ſeven thouſand eight hundred fifty four pounds, nineteen ſhillings, and eleven pence, ſhall be raiſed, levied, and paid unto his Majeſty, within the kingdom of *Great Britain*, by ſuch proportions, and in ſuch manner and form, as hereafter in this act are expreſſed. Preamble.

2,037,854l. 19s. and 11d. to be raiſed in *Great Britain.*

And it is hereby declared and enacted by the authority aforeſaid, That, &c. &c.

1,989,900l. 18s. and 9d. to be raiſed in *England* in one year from 25th *March* 1762.—Perſonal eſtates (except deſperate debts, ſtock on land, houſehold goods, and loans to his Majeſty) to pay 4s. in the pound.—Employments of profit (except military officers of the army or navy) to pay 4s. per pound.—Penſions and annuities out of the exchequer, &c. to pay, &c.—Lands, tenements, mines, &c. to be charged with equality and indifference, &c.—Lands, &c. ſubject to rent-charges, annuities, &c.—commiſſioners of the land tax for the year 1758, to put this act in execution.—Commiſſioners to meet on or before the 30th of *April* 1762, as by the act 4 W. and M. and may ſubdivide themſelves, &c.—A liſt of the commiſſioners to act in each diviſion, to be given to the receiver-general.—Commiſſioners, to ſummon fit perſons to be aſſeſſors, who are to appear before them in eight days; and then to give them a charge. Perſons abſenting, or refuſing to ſerve, forfeit, not exceeding 5l. nor leſs than 40s. Aſſeſſors to be two at leaſt, and ſufficient inhabitants.—Aſſeſments to be brought in at a day and place prefixed.—The full ſum charged to be aſſeſſed.—A certificate of the aſſeſſment to be brought in with the collectors names.—Aſſeſſors, &c. neglecting their duty to be fined not above 40l.—Aſſeſſors to deliver one copy of the aſſeſſments to the commiſſioners.—Duplicates thereof to be ſigned, &c. and one delivered to the collectors, &c. with warrant for collecting.—Commiſſioners required to give collectors notice at what time and place the appeal of any perſon who ſhall think himſelf aggrieved by being over-rated, may be heard and determined—A Duplicate in parchment to be delivered, together with the names of the aſſeſſors and collectors, to the receiver-general; and one to the remembrancer's office, by 8th *Auguſt* 1762, or twenty days after (all appeals firſt determined)—Remembrancer to give receipts *Gratis* on penalty of 10l.—The rates to be levied on the parties, or premiſſes; and to be paid to the receiver-general, &c.—The

money collected to be paid to the receiver-general, or deputies; and they to give commiſſioners notice. —— Collectors not obliged to travel above ten miles. ——Removal or death of receiver-general to be notified to the commiſſioners. —— 497, 457l. 4s. and 8d. 1. q. for the firſt quarterly payment, to be paid to the receivers by 24th *June* 1762 the ſecond payment by 29th *September* 1762. the third payment by 25th *December* 1762. the laſt payment by the 25th *March* 1763. —— Receiver-general within a month after receiving the full ſum charged, to give the commiſſioners a receipt: which ſhall be a full diſcharge for payment. Receivers-general within twenty days to pay the monies into the exchequer; and to be allowed 2d. in the pound. —— Collectors to have 3d. in the pound. Commiſſioners clerks to have three half pence in the pound. —— Collectors may levy by diſtreſs, in caſe of refuſal of payment. Diſtreſs to be kept four days at the owner's charge; then appraiſed and ſold, and the over-plus returned, &c. Commiſſioners to determine differences about diſtreſs. For want of diſtreſs offender may be committed (except a peer or peereſs of *Great Britain*) —— Tenants to pay the tax, and deduct ſo much out of the rents. —— Tenants diſcharged for what they ſo pay. Commiſſioners to ſettle differences between landlord and tenant. Commiſſioners to cauſe all deficiencies to be reaſſeſſed, and made good. —— Aſſeſſor refuſing to ſerve, to forfeit not exceeding 40l. fine not to be diſcharged but by commiſſioners who impoſed it; and levied by diſtreſs or impriſonment, and paid into the exchequer, and inſerted in the duplicates. —— Collectors detaining the money, to be impriſoned, their eſtates ſeized and ſold, &c. —— Commiſſioners to examine whether the ſums aſſeſſed be duly collected, &c. —— In caſe of controverſies in aſſeſſing commiſſions, the commiſſioners, concerned to withdraw: in default to be fined, not above 20l. —— No privileged place or perſon exempt from this tax. Fee-farm rents, &c. to be taxed. Tenants to pay the rates. —— Colleges, &c. in the univerſities, &c, not chargeable: nor the houſes or lands, which before the 25th of *March* 1693. did belong to *Chriſt's-hoſpital*, &c. nor corporation of clergymen's ſons, *Bromley* college, or any other hoſpital or almshouſe. —— No tenants of hoſpitals, &c. to claim any exemption. —— Such tenants not diſcharged, who by leaſes are obliged to pay taxes. —— Commiſsioners to determine how far lands, &c. belonging to hoſpitals, &c. not exempted by name, ought to be charged. —— All hoſpital lands &c. aſſeſſed by 4 W. and M. liable to this aid, and no other. —— Receivers of fee farm rents, &c. to allow 4s. *per* pound to the parties, without fee, on penalty of 20l. Auditors, &c. ſetting tenants *inſuper* for what ought to be allowed, or refuſing allowance, to forfeit 100l. —— Such fee-farm rents only to have an allowance of 4s. *per* pound, as are anſwerable to the crown, or were purchaſed according to 22 and 23 *Car.* ii. The owners to allow the ſame to the party paying. —— Liſts of penſions &c. to be delivered *Gratis* to the aſſeſſors. Taxes on penſions, &c. not paid, to be ſtopt in the exchequer. A true account to be kept of the money ſtopt. —— Perſons to be taxed in the pariſh where they dwell. —— No proviſo to leſſen the full ſum by this act to be levied. —— Contracts between landlord and tenant, touching taxes, not to be avoided. —— All places to pay, where uſually aſſeſſed ——*Weſt Barnfield* to be aſſeſſed in the lathe of *Skray*, *Com. Kent. Northmore*, *Com' Oxon*, in *Bampton. Charlbury*, &c. in *Chadlington. Leeds*, *com' Ebor.* in *Skyrac. Omberſley*, &c. *com' Worceſter in Oſwaldſlow* hundred. Pariſh of *Yardley*, in *Halfſhire* hundred. Foreſt of *Chute*, where the firſt 4s. aid was aſſeſſed. *Upton*, in *Perſhore* hundred. *Culder* and *Ayre*, at *Wakefield* and *Leeds*. —— Inhabitants of appartments, &c. in *Somerſet houſe*, to be aſſeſſed in the ſame proportion with thoſe in *Lancaſter* liberty. —— General iſſue. Treble coſts. —— Where lands &c. are unoccupied, and no diſtreſs found, collectors may diſtrain at any time after. —— Wood may be cut down, and ſold for diſtreſs (Timber-trees excepted) —— Tithes, tolls, &c. not paid within ſix days after demand, &c. may be ſeized and ſold. —— Receiver general returning perſons, who have paid the tax, to be in arrear, forfeits treble damages to the party grieved, and to his Majeſty double the ſum ſo returned. —— Commiſsioners to aſſeſs the aſſeſſors. —— None compelled to be aſſeſſors out of the limits of the city, &c. —— Aſſeſſments on foreign miniſters houſes to be paid by the landlords.

landlords. —— In places extraparochial commiſsioners to nominate aſſeſſors and collectors, &c. —— No commiſsioner, &c. liable to any other penalties than ſuch as are inflicted by this act. —— Commiſsioners not to act without taking the oaths by 1 *George* i. &c. —acting before oaths taken forfeit 200l. —— Officers to pay, where employed, &c. —— Officers in chancery to be aſſeſſed in the rolls liberty. Annuities where rated. Penſions, where payable. Perſonal eſtates, where perſons reſident, &c. Perſons not houſeholders, where reſident. Abſent perſons to be rated where they were laſt reſident. —— Goods, &c. to be aſſeſſed where they ſhall be. —— Perſons doubly rated, diſcharged on certificate. —— Not to extend to *Scotland*, *Ireland*, *Jerſey*, or *Guernſey*. —— Perſons avoiding the tax, charged treble. —— Houſeholders to give an account of their lodgers, on forfeiture of 5l —— Shares in the *New river*, &c to pay 4s. *per* pound. Shares in the *Fire offices*, and in the *Lights*, and the King's *Printing-houſe* to pay 4s *per* pound. Merchants, bank of *England*, poſt office, &c. to be paid by the governors. —— Governors, &c. of the river-waters, and water-works refuſing to pay, the collectors impowered to levy the ſum by diſtreſs and ſale. —— Papiſts 18 years of age not taking the oaths 1 W. and M. to pay double: unleſs taken within ten days after the commiſsioners firſt meeting. —— Perſons of 18 years of age refuſing the oath, to pay double. —— Commiſsioners to ſummon ſuſpected perſons, &c. —— *Quakers* to ſubſcribe the declaration 1 W. and M. —— Commiſsioners to double aſſeſs papiſts, where aſſeſſors omit. —— Tenants diſcharged from double rates. —— *King's bench*, *Marſhalſea* priſon, &c. to be aſſeſſed in St. *George's* pariſh &c. —— Officers of the *Marſhalſea* court refuſing to pay, &c. collectors by warrant from commiſsioners may diſtrain. If no goods ſufficient, officers to be impriſoned. —— *Fleet* priſon to be aſſeſſed in St. *Bride's*. —— Officers at *Stoke Damrel*, near *Plymouth*, to be aſſeſſed within the town of *Plymouth*, &c. —— Officers of the hoſpital at *Eaſt Stonehouſe*, to be aſſeſſed alſo within the town of *Plymouth*. 20l. to be paid out of the ſum aſſeſſed on the ſaid officers, in aid of the aſſeſſment on *Eaſt-ſtonehouſe*. —— Water-works in *Southwark* to be aſſeſſed in *Surrey*. —— Water-works in *Weſtminſter* to be aſſeſſed there. Officers, &c. in *Whitehall* and St. *James's* to be there aſſeſſed. —— Collectors of the water-works in *Colcheſter* chargeable. Collectors for the water-works in *New Windſor*, chargeable. —— Patent officers to biſhopricks to pay where aſſeſſed in 1693. —— Commiſsioners appointed to act, without ſubdividing the pariſh of St. *Andrew Holborn*, in *Middleſex*. The Pariſh of St. *George Hanover-ſquare* to be charged with diſtinct *Quota* from the pariſh of St. *Martin's in the fields*. Debates ariſing concerning the joint *Quota*, the commiſsioners who are inhabitants of either pariſh to withdraw, or to be fined a ſum not exceeding 20l. —— The pariſhes of St. *John*, St. *Peter*, and *Berchington*, to be charged in *Dover* liberty, according to the aſſeſſment 4 W. and M. —— Lands not worth 20s. *per annum* not chargeable. —— Collectors keeping monies in their hands, to forfeit 40l. —— Receiver-general miſapplying the monies to forfeit 500l. —— Commiſsioners of the treaſury, &c. to divert the payments into the exchequer. —— No *Noli proſequi*, &c. in any ſuit againſt this act. —— Commiſsioners to abate, where lands are over charged, and to re-aſſeſs, &c. or raiſe it on perſons undercharged. —— Receiver-general anſwerable for deputies. Sub-collector not to travel above ten miles, &c. Receivers not nominating deputies, &c. to forfeit 100l. —— Commiſsioners for the county at large may act for any city, &c. —— Mayors, bailiffs &c. to act as commiſsioners ſpecially appointed. —— Members of parliament to be taxed at their manſion-houſes. —— Firſt meeting for the *Weſt* riding of *York* at *Pontefract*; *North* riding, at *Thirsk*; *Eaſt* riding at *Beverley*. —— No commiſſioners capable to act in any county at large, unleſs rated at 100l. *per annum* (*Merioneth*, *Cardigan*, &c. excepted) Commiſſioners for *Angleſea*, &c. to act, if rated at 60l. *per annum*. —— Commiſſioners, may act for any city, being inhabitants, or inns of court, &c. Attornies &c. not to be commiſſioners, without poſſeſsing 100l. *per annum*. No commiſsioner of the city of *London*, or liberty of St. *Martin le grand* to act, unleſs rated at 20l. *per annum* of his own eſtate, &c. —— No commiſſioner of the city, &c. of *Weſtminſter* to act, unleſs rated at 20l. *per annum* of his

his own eſtate. ——— Perſons diſabled preſuming to act, to forfeit 50l. ——— Collectors of the new water-works in *Exon*, chargeable. ——— Her Majeſty the Queen not chargeable; nor her royal Highneſs the Princeſs dowager of *Wales*; nor his royal Highneſs the Duke of *Cumberland*, nor the princeſs *Amelia*, ——— Superannuated ſea-officers not to pay, &c. nor poor knights of *Windſor*. ——— Reſidentiaries, in what caſes not chargeable: nor 100l. *per annum* to the poor clergy of the iſle of *Man*: nor pages of honour. ——— Receivers-general to give notice of failures in payment of the taxes. ——— Commiſſioners for *Lincoln* to act in *Lincoln-cloſe*; and, for the county, in St. *Martin Stamford baron*. ——— Auditor to keep a regiſter, &c. ——— Deputies to pay for principals, and on nonpayment liable to diſtreſs. ——— Receiver-general to give a liſt of money received by him, at the time and place appointed. On refuſal to forfeit any ſum not exceeding 20l. ——— Collectors may keep ſo much money as any two commiſſioners judge reaſonable. ——— No receiver to return *inſuper* upon any county, &c. after three years for monies in arrear; but the ſame to be a debt on him and his ſecurities. ——— Sheriff, on writs of *diſtringas*, to return iſſues after the rate of 5l. *per cent.* of the ſum ſet *inſuper*: and proceſs to iſſue thereupon, &c. ——— Water-works in *Shrewsbury* chargeable. ——— Who ſhall have the benefit only of overplus ſums uncharged. ——— Clauſe for the eaſe of proteſtants, to whom lands, &c. have come, which have been doubly taxed. Where lands doubly taxed are liable only to a ſingle aſſeſſment; commiſsioners on complaint to examine into the truth thereof, and to certify the ſame to the barons of the *exchequer*, before 29th *September*, 1762; who are to diſcharge the overplus before the laſt day of *November* 1762. Certificates of the ſums diſcharged to be produced to the commiſsioners at their next meeting. ——— Commiſsioners may ſummon collectors, who have converted land-tax monies to their own uſe, or their heirs, &c. and on examination may iſſue their warrants for paying ſuch monies to his Majeſty's uſe. ——— The payments made according to the commiſsioners warrants, &c. ſhall be diſcharges to the collectors, or their heirs, &c. ——— Collectors not paying, may be impriſoned, and their eſtates ſeized and ſold. ——— Arrears of former land-taxes to be levied by the preſent commiſsioners. ——— No receiver-general, or his agents, may ſue the county for a robbery, unleſs the perſons carrying the money be in company, and three at leaſt in number. ——— Tolls or duties on turnpikes, not chargeable by this or any former act. ——— Commiſsioners may, before 29th *September* 1762, ſummon aſſeſſors; who have not charged their eſtates ſince 6th *May* 1717, and examine them upon oath, and award ſatisfaction, to be levied and paid to the collectors. ——— Commiſsioners, &c. to diſtinguiſh and ſet down the groſs ſums aſſeſſed for double taxes, to be tranſmitted in the exchequer. ——— Aſſeſſments on the town of *Cambridge* to be raiſed on manors, &c. and on fiſhings, &c. in the river *Cam*. ——— On whom and when, yearly aſſeſſments on fairs, &c. to be collected. Diſtreſs on default of payment how to be levied. Tenants of booths, &c. to pay the rates, and deduct them out of their rents, &c.

47,954l. 1s. 2d. to be raiſed in *Scotland*, by an 8 months ſeſs of 5,994l. 5s. 1d. 3q. *per menſem*, to be rated as the tax roll now is, or ſhall be ſetled by themſelves. ——— The firſt two months ſeſs to be paid by 24th of *June* 1762, ſecond, 29th *September* 1762, third 25th *December* 1762, fourth 25th *March* 1763. ——— Commiſsioners for putting this act in execution in *Scotland*, the ſame as for the act 31 *Geo.* ii. And execution to be done as by the ſaid act. Firſt meeting to be at the head burghs on 30th *April* 1762. ——— All clauſes in former acts relating to the bringing in the ſeſs, &c. to be in full force. ——— No perſons in *Scotland* holden to produce their receipts after 3 years. ——— Debtor owing money in *Scotland* at 6 *per cent.* to retain a 6th part of 6 *per cent.* from 11th *Nov.* 1761, to 11th *Nov.* 1762. 47,954l. 1s. 2d. to be raiſed free of all charges, and to be paid at *Edingburgh*. ——— No perſon to be a commiſsioner of the land tax in *Scotland*, who is not enfeoft of 100l. *Scots*, *per annum* real rent in the county where he acts. Exception. Commiſsioners in *Scotland* to take the oaths, and ſubſcribe the aſſurance. ——— Provoſt, &c. of any royal borough may act as commiſsioner. ——— Clauſe of loan at 4 *per cent.* ——— Tallies of loan to be ſtruck, &c. Orders regiſtered and paid in courſe. Penalty

nalty for undue preference. ——— No undue preference, where tallies are dated or brought the ſame day: nor if ſubſequent orders be paid before ſuch as were not demanded in courſe. ——— Orders aſſignable. ——— Commiſſioners of the treaſury impowered to prepare any number of one common ſum, or different ſums, in the principal monies. Bills to bear intereſt at 4 *per cent. per annum*. Theſe bills to be numbered arithmetically.— Treaſury to direct the courſe of payment for loans or exchequer bills, and to appoint cheques, &c. ——— The bills to be placed as caſh in the exchequer, and to be iſſuable thereout in common with other monies, and to be current in the revenue. Receivers to exchange bills for ready money. ——— Tallies to be levied for bills lent into the exchequer. Intereſt to continue till payment. ——— Intereſt to ceaſe whilſt the bills are in the hands of receivers, &c. ——— Bills paid to receivers, &c. to be ſigned and dated. Intereſt to be allowed to the ſaid days. The bills may be reiſſued, both for principal and intereſt. ——— Receivers to keep a book. ——— Bills filled up by indorſements, or defaced, to be exchanged. ——— Bills not exceeding 5000l. each, to be made forth at the exchequer. ——— Forging exchequer bills felony. ——— How the monies ariſing by this act ſhall be applied. ——— Treaſury on 29th *Sept.* 1763 to take an account of all monies raiſed and diſcharged. — Unſatisfied monies to be paid out of the next act, or out of the ſinking fund. ——— Commiſſioners to appoint perſons to pay off principal ſums, which ſhall from time to time be in courſe of payment upon exchequer bills. ——— Money, as brought in, to be paid to the paymaſters. ——— Bills to be regiſtered in courſe. ——— When intereſt to ceaſe. ——— Paymaſters liable to the controul of the treaſury. ——— Treaſury to ſettle ſalaries of clerks, &c. and to contract with perſons to circulate bills, &c. ——— Contractors not diſabled from being members of parliament. ——— May lower or raiſe the intereſt with conſent of treaſury. Contractors, how to be paid. No Fee to be taken. No intereſt for leſs than one penny. ——— Charges to be paid out of the ſinking fund: to be replaced out of the firſt ſupplies. ——— Clauſe of relief for bills loſt or deſtroyed. Bills diſcharged to be cancelled. ——— Sinking fund appropriated to diſcharge national debts incurred before 25th *Dec.* 1716. ——— Deficiency of the land tax 33 *Geo.* ii. how to be ſupplied.

CAP. IV.

An act for continuing and granting to his Majeſty certain duties upon malt, mum, cyder, and perry, for the ſervice of the year one thouſand ſeven hundred and ſixty two.

Moſt Gracious Sovereign,

WE *your Majeſty's moſt dutiful and loyal ſubjects, the commons of* Great Britain, *in parliament aſſembled, towards raiſing the neceſſary ſupplies to defray your Majeſty's public expences, have freely and voluntarily reſolved to give and grant unto your Majeſty, the rates, duties, and impoſitions herein after mentioned; and do moſt humbly beſeech your Majeſty, That it may be enacted; and* be it enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That within and throughout that part of *Great Britain* called *England*, *Wales*, and town of *Berwick upon Tweed*, &c. &c. **Preamble.**

Malt act of 1 *Geo.* iii. further continued to 24th *June* 1763. ——— Malt in *Scotland* to pay 3d. *per* buſhel. Mum 10s *per* barrel. Cyder and perry made for ſale, 4s. *per* hogſhead. How theſe duties are to be raiſed.

——— 20,

——— 20,000l. to be raiſed in *Scotland*. Surplus to be added to the fiſheries, &c. ——— This act to relate to the ſame day and time, as the act 1 *Geo.* iii. did. ——— Malt brought from *Scotland* by ſea, to be entered at the port of landing: brought by land, to be entered at *Berwick* or *Carliſle*. ——— Cyder for diſtilling not chargeable. Diſtiller to give notice to the officer when he diſtils cyder. ——— Allowances for exportation of Malt. 1 W. and M. On certificate of Malt being exported, and ſecurity, allowance to be paid. Penalty on relanding, over and above the penalty of the bond, all the malt and treble the value forfeited. ——— Malt ſteeping for exportation to be kept ſeparate till meaſured. Malſters to give notice to officers, &c. ——— Penalty on opening the locks, &c. after malt is meaſured, &c. ——— Malſters, on 24th *June* 1762, to clear out of their warehouſes all malt within fifteen months. And ſo all future malſters. ——— Clauſes in act 12 *Anne* and 6 *Geo.* i. 5s. *per* buſhel penalty on all corn ſteeping or ſteeped for malt, which ſhall be found in the ciſtern or couch, ſo hard and compact as it could not be, unleſs the ſame had been forced together to prevent the riſing. ——— 100l. penalty on fraudulently conveying from the ciſtern any ſteeping of corn, and mixing the ſame with other corn charged with duty in the couch; or fraudulently conveying the ſame away, ſo that no gauge of ſuch corn can be taken in the couch. ——— Penalties how to be recovered. ——— Buyers of cyder or perry for their private uſe not charged. ——— Perſons ſelling leſs than 20 gallons, to be deemed retailers. ——— Clauſe of loan at 4l. *per cent.* Tallies of loan to be ſtruck, &c. Orders regiſtered and paid in courſe. No fee for regiſtering, &c. Penalty for undue preference. No undue preference, where tallies are dated or brought the ſame day; nor if ſubſequent orders be paid before ſuch as were not demanded in courſe. Orders aſſignable. ——— Commiſſioners of the treaſury impowered to prepare any number of one common ſum, or different ſums, in the principal monies. ——— Bills to bear intereſt at 4l. *per cent. per annum*. Theſe bills to be numbered arithmetically. Treaſury to direct the courſe of payment for loans or exchequer bills, and to appoint cheques &c. ——— The bills to be placed as caſh in the exchequer. ——— Clauſes in the land tax act relating to exchequer bills, extended to this. ——— How the monies ariſing by this act ſhall be applied. ——— Treaſury on 29th *Sep.* 1763, to take an account of all monies raiſed and diſcharged. Unſatisfied monies to be paid out of the next aid, or out of the ſinking fund, to be replaced out of the firſt ſupplies ——— Deficiency of malt tax, 33 *Geo.* ii. how to be ſupplied. ——— Arrears of former duties to be applied in aid of the ſupplies granted for the year 1762.

CAP. V.

An act for more effectually preventing the exceſſive uſe of ſpirituous liquors for home conſumption, by laying additional duties upon ſpirits made in Great Britain, *or imported into the ſame; and for better regulating and encouraging the exportation of* Britiſh *made ſpirits; and for ſecuring the payment of the duties upon ſpirituous liquors.*

Preamble.

WHEREAS *by an act made in the thirty-third year of the reign of his late majeſty King* George *the Second, intituled, An act for preventing the exceſſive uſe of ſpirituous liquors, by laying additional duties thereon; for ſhortening the prohibition of making low wines and ſpirits from wheat, barley, malt, or other grain, and from meal, flour, and bran; for encouraging the exportation of* Britiſh *made ſpirits; and for more effectually ſecuring the duties payable upon ſpirits, and preventing the fraudulent relanding or importation thereof; additional duties were laid upon ſpirituous liquors and*

other

other proviſions were eſtabliſhed, in order, by continuing the high price of ſuch liquors, to prevent the exceſſive uſe thereof for home conſumption, at the ſame time that the exportation of ſpirituous liquors was intended to be encouraged: and whereas ſome of the proviſions made by the ſaid act do no leſs tend to inhance the price of ſpirits made for exportation, than the price of thoſe made for home conſumption: and whereas the preſent method of ſubjecting ſpirits made for exportation to the payment of duties, and in conſideration thereof granting drawbacks or allowances upon exportation, has been found to be attended with many inconveniences: in order therefore more effectually to carry on the wiſe and ſalutary purpoſes of the ſaid act, by providing a more convenient method of encouraging the exportation of ſpirituous liquors, and at the ſame time effectually guarding againſt any increaſe of the uſe thereof for home conſumption, May it pleaſe your Majeſty that it may be enacted; *and* be it enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled and by the authority of the ſame, That from and after the twenty firſt day of *January*, one thouſand ſeven hundred and ſixty two, there ſhall be raiſed, levied, collected, and paid unto his Majeſty, his heirs and ſucceſſors, throughout the kingdom of *Great Britain*, for the ſeveral kinds of ſpirituous liquors herein after mentioned, ſpecified, and enumerated, which ſhall be made in *Great Britain* for home conſumption, or imported into *Great Britain* from parts beyond the ſeas (not being the produce of the *Britiſh* colonies) over and above all duties, charges, and impoſitions by any former act or acts of parliament thereupon reſpectively ſet, rated, and impoſed, the ſeveral additional rates and duties of exciſe herein after mentioned and expreſſed; that is to ſay,

The additional duties following laid on ſpirituous liquors made or imported into Great Britain, not being the produce of the Britiſh colonies; to take place from and after 21. Jan. 1762.

For every gallon of low wines, or ſpirits of the firſt extraction, made or drawn from any ſort of drink or waſh brewed or made from any ſort of malt or corn, or from brewers waſh or tilts, or any mixture with ſuch brewers waſh or tilts, to be paid by the diſtillers or makers thereof, One penny.

The duties.

For every gallon of ſtrong waters or *Aqua Vitæ*, made for ſale of the materials aforeſaid, or any of them, to be paid by the diſtillers or makers thereof, Three pence.

For every gallon of low wines, or ſpirits of the firſt extraction, made or drawn in *Great Britain* from any foreign or imported materials, or any mixture therewith, to be paid by the diſtillers or makers thereof, Three pence.

For every gallon of ſpirits made or drawn in *Great Britain*, from any foreign or imported materials, or any mixture therewith, to be paid by the diſtillers or makers thereof, Two pence.

For every gallon of low wines, or ſpirits of the firſt extraction, made or drawn from cyder, or any ſort or kind of *Britiſh* materials (except thoſe beforementioned) or any mixture therewith, to be paid by the diſtillers or makers thereof, One peny Three farthings.

For

For every gallon of ſpirits made for ſale, from cyder or any ſort or kind of *Britiſh* materials, (except thoſe before mentioned,) to be paid by the diſtillers or makers thereof, Two pence.

For every gallon of ſingle brandy ſpirits or *Aqua Vitæ*, imported into *Great Britain* from beyond the ſeas, not being the produce of the *Britiſh* colonies, to be paid by the importer before landing, Six pence.

For every gallon of brandy ſpirits or *Aqua Vitæ* above proof, commonly called *Double Brandy*, imported into *Great Britain* from beyond the ſeas, not being the produce of the *Britiſh* colonies, to be paid by the importer before landing, One ſhilling.

Duties in England to be under the receipt and management of the commiſſioners and officers of exciſe there; And thoſe in Scotland, under the commiſſioners and officers of exciſe there:

II. *And for the better aſcertaining, charging, collecting, raiſing, levying, and ſecuring the rates and duties by this act impoſed on the ſaid ſpirituous liquors, and preventing frauds therein*, be it further enacted by the authority aforeſaid, That ſuch of the ſaid rates and duties by this act granted, as are charged upon ſpirituous liquors made, extracted, and manufactured in, or imported into *England*, *Wales*, or the town of *Berwick* upon *Tweed*, ſhall be under the receipt and management of the commiſſioners and officers of his Majeſty's revenue of exciſe in *England* for the time being; and ſuch of the ſaid rates and duties as are impoſed by this act, upon ſpirituous liquors made, extracted, and manufactured in, or imported into *Scotland*, ſhall be under the receipt and management of the commiſſioners and officers of exciſe in *Scotland* for the time being; and the ſaid reſpective commiſſioners of exciſe, or the major part of them, have hereby power by commiſſion, under their reſpective hands and ſeals, to conſtitute and appoint under them ſuch officers as ſhall be neceſſary in that behalf; and all monies ariſing by the ſaid duties in *Great Britain*, or any part thereof (the neceſſary charges of raiſing and accounting for the ſame excepted) ſhall from time to time be paid into the receipt of his Majeſty's exchequer at *Weſtminſter*, diſtinctly and apart from all other branches of the public revenue; and ſhall be ſubject and liable to ſuch uſes, applications, and purpoſes, as ſhall by any future act or acts of parliament be directed or appointed.

and they are impowered to appoint proper officers under them in that behalf. The monies ariſing thereby are to be paid into the exchequer at Weſtminſter, ſeparate from all other branches of the public revenues.

Clauſe in the act 33 Geo. 2. prohibiting malt diſtillers to compound or rectify ſpirits into gin or brandy.

III. *And whereas by a clauſe in the ſaid act of parliament paſſed in the thirty third year of the reign of his late Majeſty King* George *the Second, reciting*, that whereas many evils had ariſen to the public by reaſon of the compounding or rectifying of ſpirits, by perſons practiſing the trade or buſineſs of making or diſtilling ſpirits from corn or grain; it was therefore enacted, That from and after the twenty firſt day of *April*, one thouſand ſeven hundred and ſixty, if any perſon practiſing the trade or buſineſs of making, extracting, or diſtilling low wines or ſpirits, from corn or grain, or any mixture therewith, or having any intereſt, ſhare, or property, in any ſuch trade or buſineſs, ſhould directly, or indirectly, either by him or herſelf, or any other perſon or perſons in truſt, or for his or her benefit, rectify, compound, or make, any ſort of ſpirits into the liquor commonly

commonly called Gin, or into brandy, or any other compound ſpirituous liquors whatſoever, every ſuch perſon ſhould, for every ſuch offence, forfeit and pay the ſum of one hundred pounds; and that the heirs, executors, adminiſtrators or aſſigns, of any perſon who ſhould, after the ſaid twenty firſt day of *April*, one thouſand ſeven hundred and ſixty, have been guilty of the offence aforeſaid, ſhould not be intitled unto, or maintain any cauſe, action, or ſuit, for recovery, either in law or equity, of any ſum or ſums of money, debt, or demand whatſoever, on account or by reaſon of any intereſt or property in, or profit or advantage ariſing in reſpect of, ſpirits, made, extracted, or diſtilled, from corn or grain, or any rectified or compounded ſpirituous liquors whatſoever: *and whereas it is thought expedient to anſwer the purpoſes of this act, to repeal the ſame clauſe:* be it therefore enacted by the authority aforeſaid, That the ſaid recited clauſe, and every part thereof, ſhall, from and after the ſaid twenty firſt day of *January*, one thouſand ſeven hundred and ſixty two, be, and the ſame is hereby repealed, and made null and void to all intents and purpoſes. is repealed.

IV. *And, for the more effectual ſecuring the payment of the duties upon ſpirits*; it is hereby enacted and declared by the authority aforeſaid, That from and after the ſaid twenty firſt day of *January*, one thouſand ſeven hundred and ſixty two, no perſon or perſons who ſhall either make or rectify any ſpirits for ſale, or who ſhall ſell or deal in any ſort of ſpirituous liquors, ſhall have in his, her, or their cuſtody or poſſeſſion, or in the cuſtody or poſſeſſion of any other perſon or perſons in truſt, or for the uſe or benefit of him, her, or them, any ſtill or number of ſtills, unleſs ſuch ſtill if a ſingle one, or ſuch ſtills taken together if more than one, ſhall contain at the leaſt one hundred gallons, on pain to forfeit for every ſuch ſtill the ſum of one hundred pounds; and that ſuch ſtills as ſhall contain ſeparately leſs than one hundred gallons ſhall be all placed in one room or workhouſe, on pain to forfeit for every ſuch ſtill not ſo placed, the like ſum of one hundred pounds; and every perſon and perſons who ſhall, after the ſaid twenty firſt day of *January*, one thouſand ſeven hundred and ſixty two, ſell or deal in any liquors which are chargeable with any duty of exciſe, and who ſhall alſo make or diſtil any ſpirits, ſhall be deemed and taken, and is and are hereby declared to be a common diſtiller or diſtillers for ſale, and is and are hereby required to enter his, her, and their ſtill and ſtills, and ſhall be liable to be charged with, and to pay for, all low wines and ſpirits made by them the ſeveral rates and duties of exciſe charged by this, and all and every former act or acts for laying duties upon low wines or ſpirits, and be ſubject to the ſurvey of the officers of exciſe, and to the ſeveral penalties and forfeitures impoſed by this or any former act or acts of parliament now in force, in any wiſe relating to diſtillers. No diſtiller, rectifier, or dealer in ſpirits, may have in his poſſeſſion any ſtill or ſtills, which ſeparately, or together, ſhall contain leſs than 100 gallons, on penalty of 100*l.* and all the ſmall or underſized ſtills are to be placed in one room under like penalty. Perſons who ſhall deal in exciſeable liquors, and ſhall alſo diſtil ſpirits, are declared to be commondiſtillers; and are to enter their ſtills, and pay duties accordingly.

V. *And, for the better encouraging the exportation of ſpirits made in* Great Britain; be it therefore enacted by the authority aforeſaid, All waſh and the low wines, and ſpirits

therefrom, made for foreign exportation, are exempted from the duties of exciſe;

aforeſaid, That from and after the ſaid twenty firſt day of *January*, one thouſand ſeven hundred and ſixty two, no waſh which ſhall be brewed or made for the making of low wines, in order to extract ſpirits for exportation to parts beyond the ſeas, nor any ſuch low wines or ſpirits, ſhall be charged or chargeable with any duty or duties of exciſe granted by this or any former act or acts of parliament for laying of duties upon low wines or ſpirits; and that from thenceforth all and every drawback, allowance, and bounty, which hath been given or granted by any former act or acts of parliament on the exportation of *Britiſh* made ſpirits, to parts beyond the ſeas, whether payable by the commiſſioners of exciſe or cuſtoms, ſhall ceaſe, and be no longer payable or paid; any law or ſtatute to the contrary notwithſtanding.

and no drawbacks or allowances are to be paid thereon, for the future;

except ſuch as were ſhipped, &c. for exportation before 1 Jan. 1762, &c.

VI. Provided, That nothing herein contained ſhall extend to prevent the payment of the drawbacks, allowances, and bounties, for ſuch ſpirits as ſhall have been really and *bona fide* ſhipped or ſent coaſtways in order for exportation, before the ſaid twenty firſt day of *January*, one thouſand ſeven hundred and ſixty two, and which had been tried and aſcertained according to the directions of the ſaid recited act.

Every diſtiller of ſpirits for exportation is previouſly to enter at the next office of exciſe,

VII. And be it further enacted by the authority aforeſaid, That from and after the ſaid twenty firſt day of *January*, one thouſand ſeven hundred and ſixty two, all and every diſtiller and diſtillers who ſhall be deſirous of making or diſtilling ſpirits for exportation, ſhall, four days at the leaſt before he, ſhe, or they ſhall begin to brew any corn or grain, or to mix any other materials for the making of waſh to be diſtilled into low wines, in order to extract ſpirits for exportation, make a true and particular entry in writing at the next office of exciſe, within the limits whereof his, her, or their workhouſe, ſtillhouſe, ſtorehouſe, warehouſe, or other place for diſtilling or keeping waſh, low wines, or ſpirits, is or ſhall be ſituate, of all and every ſtill, copper, ton, waſh-back, caſk, or other veſſel, which he, ſhe, or they ſhall make uſe of for the brewing, diſtilling, working, making, laying, or keeping, any worts, waſh, low wines, or ſpirits, and alſo of the caſks or veſſels which every ſuch diſtiller or diſtillers ſhall make uſe of for the brewing, holding, or keeping of the after-runnings or feints from the ſecond extraction which ſhall, from time to time, be drawn from every ſuch ſtill; and alſo of all and every workhouſe, ſtillhouſe, ſtorehouſe, warehouſe, or other place, by him, her, or them uſed for the preparing, diſtilling, or keeping, waſh, low wines, or ſpirits; and in ſuch entry ſhall inſert the day when he, ſhe, or they, ſhall intend to begin firſt to brew any corn or grain, or to mix any other materials for the making of waſh to be diſtilled into low wines in order to extract ſpirits for exportation; and ſhall afterwards from time to time, during the continuance of ſuch entry, give or leave notice in writing at the ſaid office of exciſe, or with the officer of exciſe for the diviſion or place where ſuch ſpirits are intended to be made, four hours at the leaſt

all the ſtills, and other veſſels which he ſhall make uſe of,

and his workhouſes and warehouſes, with the day he ſhall firſt begin to work; and is from time to time afterwards to give due notice to the proper officer,

leaſt before he, ſhe, or they ſhall begin any ſuch ſubſequent brewing or mixing; and ſhall inſert in ſuch notice the hour when he, ſhe, or they ſhall intend to begin; and ſhall alſo, from time to time, during the continuance of ſuch entry, give or leave notice in writing at the ſaid exciſe office, or with the ſaid officer of exciſe, four hours at the leaſt before any waſh is pumped up, or otherwiſe conveyed into the ſtill or ſtills, and ſhall inſert in ſuch notice the hour when he, ſhe, or they, ſhall intend to begin: and if he, ſhe, or they ſhall neglect or refuſe to make ſuch entry as aforeſaid, or ſhall not inſert in ſuch entry the day when he, ſhe, or they ſhall intend firſt to brew any corn or grain, or to mix any other materials for the making of waſh as aforeſaid, or to give ſuch reſpective notices as aforeſaid, or to inſert in ſuch notices reſpectively the hour when he, ſhe, or they ſhall intend to begin his, her, or their reſpective operation as aforeſaid; every ſuch diſtiller and diſtillers, for every ſuch offence, ſhall forfeit and loſe the ſum of one hundred pounds: and if, after ſuch entry ſo made, ſuch diſtiller or diſtillers ſhall not begin and proceed to brew, or mix his materials as aforeſaid, on the day mentioned in ſuch entry, or within four hours next afterwards; or having given ſuch notice or notices as aforeſaid, ſhall not begin and proceed in ſuch reſpective operations at the hour, and time or times, mentioned in ſuch reſpective notices, or in two hours next afterwards; then every ſuch entry and notice ſhall be, and is and are hereby declared to be, null and void; and every ſuch diſtiller and diſtillers ſhall be obliged to make a freſh and like entry, or to give a freſh and like notice or notices as aforeſaid: and in caſe any ſuch diſtiller or diſtillers ſhall begin to brew any corn or grain, or to mix any materials for the purpoſe aforeſaid, or ſhall pump up or otherwiſe convey, or cauſe or ſuffer to be pumped up or otherwiſe conveyed, any waſh into the ſtill or ſtills, without making ſuch freſh entry, in caſe the firſt became void, or giving ſuch freſh notice or notices reſpectively, in caſe ſuch firſt notice or notices ſhall reſpectively become void: then, and in every ſuch caſe, ſuch diſtiller and diſtillers ſo offending, ſhall, for every ſuch offence, forfeit and loſe the ſum of one hundred pounds.

before he ſhall begin any ſubſequent brewing, &c. and a like notice before he ſhall pump up or convey any waſh into the ſtill;

on penalty of 100l.

Diſtiller not proceeding in his operations on the day and hours mentioned in the entry, and reſpective notices, &c. is to make a freſh entry, and give freſh notices before he proceeds therein; on penalty of 100l.

VIII. Provided always, that nothing herein contained ſhall extend to permit or authorize any diſtiller or diſtillers to enter or give notice of his intention to make ſpirits for exportation, whoſe waſh-ſtill will not contain one thouſand ſix hundred gallons, and the ſpirit or low wine-ſtill eight hundred gallons; neither ſhall any diſtiller or diſtillers be intituled or permitted to diſtil ſpirits for exportation, although he may have made an entry as aforeſaid, unleſs he, ſhe, or they ſhall actually have diſtilled into ſpirits all the waſh and low wines in his, her, or their cuſtody or poſſeſſion for the making of ſpirits for home conſumption, at leaſt forty eight hours before the day mentioned in ſuch entry.

No diſtiller for exportation may enter or give notice, whoſe waſh-ſtill will not contain 1600 gallons, and the ſpirit or low wine-ſtill 800 gallons, and unleſs he ſhall have diſtilled into ſpirits all the waſh and low wines in his cuſtody for home conſumption 48 hours before the day mentioned in the entry.

IX And it is hereby further enacted by the authority afore-

When the waſh and low wines for ſpirits for exportation ſhall be diſtilled, and the ſpirits locked up; the diſtiller may withdraw his entry for exportation, and make entry anew for home conſumption, and within 6 days after begin his operations accordingly; and if he acts contrary to theſe directions he forfeits 200l.

That when any ſuch diſtiller or diſtillers ſhall be deſirous of diſtilling any ſpirits for home conſumption, and ſhall have actually diſtilled into ſpirits all the waſh, low wines, and feints, in his, her, or their cuſtody or poſſeſſion, for the making of ſpirits for exportation, and ſuch ſpirits ſhall be locked up in the warehouſe as herein after is directed; he, ſhe, or they, may withdraw his, her, or their entry for exportation, and ſhall be at liberty to make a freſh and like entry for making ſpirits for home conſumption; and at the expiration of ſix days after ſuch entry made, it ſhall and may be lawful for ſuch diſtiller and diſtillers to begin to brew or mix materials for waſh to be diſtilled into ſpirits for home conſumption: and if any ſuch diſtiller or diſtillers ſhall begin to brew or mix materials for waſh to be diſtilled into ſpirits for home conſumption, without having made ſuch entry, or contrary to any of the directions of this clauſe, he ſhall, for every ſuch offence, forfeit and loſe the ſum of two hundred pounds.

Waſh for ſpirits for exportation is to be pumped, &c. into the ſtill in the preſence of an officer; and the low wines immediately run off into an entered veſſel, and there kept till gauged; and a proper cask entered and gauged, ſufficient to contain the ſpirits extracted, is to be provided; and when the whole is collected, the ſpirits are to be made proof in the preſence of the officer, and gauged by him; and afterwards put in casks, and ſecured in his preſence in ſome entered and approved warehouſe,

X. And, for the preventing of frauds, which diſtillers for exportation may commit, by privately removing and concealing the waſh, low wines, or ſpirits: and in order that the officer may obtain true gauges of the ſame; it is hereby further enacted by the authority aforeſaid, That from and after the ſaid twenty firſt day of *January*, one thouſand ſeven hundred and ſixty two, no waſh that ſhall be brewed or mixed for the extracting ſpirits for exportation, ſhall be pumped up into the ſtill or ſtills, or otherwiſe removed from the back or veſſel wherein the ſame was fermented, but in the preſence of an officer of exciſe, on any pretence whatſoever; and all and every ſuch diſtiller and diſtillers ſhall, and is and are hereby required to run, or draw off his, her, or their low wines immediately from the ſtill, into an entered veſſel or veſſels only, and to continue them therein, ſo that the officers of exciſe may take a true gauge of ſuch low wines; and ſuch diſtiller and diſtillers ſhall each of them provide a proper cask, which ſhall be duly entered and gauged, into which the ſpirits ſhall run immediately from the ſtill; which cask ſhall be ſufficient to contain the whole produce of ſpirits to be extracted from each ſtill when made up to the proper ſtrength ſuch ſpirits are required to be; and when the whole quantity of ſpirits ſhall be collected in ſuch cask from each ſtill, all and every ſuch diſtiller and diſtillers ſhall, and is and are hereby required immediately to make up ſuch ſpirits, in the preſence of the officer of exciſe, to the ſtrength of one to ſix under hydrometer proof; and a true gauge of ſuch ſpirits ſo made up ſhall then be taken by the officer of exciſe, who ſhall keep an exact account thereof; and ſuch ſpirits, and every part thereof, ſhall immediately afterwards be put into casks, and ſecured in the preſence of the officer of the exciſe, in a warehouſe or warehouſes to be provided and duly entered at the proper office of exciſe, and kept for that purpoſe by and at the expence of ſuch diſtiller and diſtillers, which ſpirits ſhall be kept there ſeparate and apart from all ſpirits made for home conſumption;

and

and no ſpirits for home conſumption ſhall be put into the ſame warehouſe; and ſuch warehouſe and warehouſes ſhall be ſecured under three locks and three keys to each warehouſe into which the ſaid ſpirits ſhall be carried; one of thoſe locks to be provided by ſuch diſtiller, and the other two locks to be provided by the ſurveyor, ſupervifor, or officer of exciſe, of the diviſion or place where the ſaid ſpirits ſhall be locked up, at the expence of ſuch diſtiller; whereof one key of each place ſhall be kept by ſuch diſtiller, and another by ſuch ſurveyor or ſupervifor, and the third by ſuch officer of exciſe, until the ſame ſpirits ſhall be delivered out for rectification, or afterwards for exportation: which warehouſe and warehouſes, ſhall be made well and ſufficiently ſecure to the ſatisfaction and approbation of the reſpective ſurveyors or ſupervifors of exciſe for the time being, in whoſe diviſion or diſtrict any ſuch warehouſe or warehouſes ſhall be ſituate, whoſe approbation thereof, ſhall be ſignified in writing, under the hands of ſuch ſurveyors or ſupervifors; and the reſpective ſurveyors or ſupervifors, are hereby required to attend, on reaſonable notice to them given by the reſpective diſtillers in order to view the ſame: and if any diſtiller or diſtillers for exportation ſhall, contrary to the directions of this act, pump up into the ſtill or ſtills, or otherwiſe remove any ſuch waſh as aforeſaid, from the back or veſſel wherein the ſame was fermented, but in the preſence of an officer of exciſe, or ſhall not run off, or cauſe to be run off, his, her, or their low wines immediately from the ſtill into an entered veſſel or veſſels only, or ſhall not continue the ſame in ſuch entered veſſel or veſſels, ſo that the officers of exciſe may take a true gauge of ſuch low wines, or ſhall neglect or refuſe to provide a proper cask into which the ſpirits ſhall run immediately from the ſtill as aforeſaid, or to enter ſuch cask, or ſhall run off any ſpirits, from the ſtill into any cask, except ſuch cask herein before directed to be provided, or ſhall, when the whole quantity of ſpirits ſhall be collected as aforeſaid, neglect or refuſe immediately to make up, in the preſence of the officer of exciſe, ſuch ſpirits to the ſtrength of one to ſix under hydrometer proof; or ſhall by any ways or means prevent, hinder or obſtruct the officer of exciſe, from taking a gauge or gauges of the waſh, low wines, or ſpirits, or to take a ſample or ſamples of them, or any of them, or to try the proof of the ſpirits (which gauges, ſamples, and trials of proof they are hereby impowered to take and make, as often as the commiſſioners of exciſe for the time being ſhall direct, and which ſamples ſhall be returned by the officers of exciſe, to the reſpective traders when the commiſſioners of exciſe ſhall find it expedient to give directions for that purpoſe) or ſhall neglect or refuſe, immediately after the ſpirits are ſo made up to the ſtrength aforeſaid, to put ſuch ſpirits into casks, and ſecure the ſame, in the preſence of the officer of exciſe, in a warehouſe or warehouſes according to the directions of this act, or ſhall neglect or refuſe to provide and keep a warehouſe or warehouſes for that purpoſe, or to ſecure the ſame well and ſuf-

under three locks and keys, ſeparate from ſpirits for home conſumption,

until delivered out for rectification or exportation;

and the ſurveyors are to view, and ſign their approbation of, the ſaid warehouſes.

Diſtiller acting contrary to theſe directions,

or obſtructing the officer in the gauging, taking ſamples of the ſpirits, or trying the proof, &c.

ſufficiently, according to the directions of this act, or to provide and keep ſuch warehouſe and warehouſes with locks and keys for ſecuring ſuch ſpirits for exportation as aforeſaid, or to enter ſuch warehouſe or warehouſes for that purpoſe at the proper office of exciſe, or ſhall make uſe of any warehouſe or warehouſes or other place or places for keeping ſpirits for exportation, before the ſame ſhall have been firſt approved of, according to the directions of this act, or ſhall put into or keep in, ſuch warehouſe, or warehouſes, any ſpirits made for home conſumption; or if any ſuch diſtiller or diſtillers, or any other perſon or perſons whatſoever by his, her, or their order, privity, connivance, or direction, after any ſuch ſpirits ſhall have been locked up and ſecured in any warehouſe or warehouſes for keeping ſpirits for exportation, ſhall open any of the locks or doors in the abſence of the proper ſurveyor or ſupervifor and officer of exciſe, or ſhall make any way or kind of entrance into any ſuch warehouſe or warehouſes, or ſhall remove any part whatever of the partition between any warehouſe or warehouſes for keeping ſpirits for exportation, and any other place or places whatſoever next thereunto adjoining, or ſhall, after any ſuch warehouſe or warehouſes ſhall have been ſo approved of as aforeſaid, make any addition to, or any way alter the ſame, without notice firſt given to the proper ſurveyor or ſupervifor of exciſe of ſuch intended addition to, or alteration in, ſuch warehouſe or warehouſes, and his conſent in writing firſt had and obtained for the ſame; or ſhall remove any of the ſaid ſpirits from any locked warehouſe or warehouſes to any other warehouſe or warehouſes for keeping ſpirits for exportation before the ſame be taken out either for immediate rectification or to be immediately put on ſhip-board, and exported to parts beyond the ſeas; or ſhall, by any art, contrivance, or device whatſoever, remove, convey away, or conceal, or cauſe, procure, or ſuffer to be removed, conveyed away, or concealed, any of the waſh, or low wines for making ſpirits for exportation, or any ſuch ſpirits whether raw or rectified, either before the ſame are put into the warehouſe or warehouſes, or afterwards; then, and in each and every ſuch caſe, ſuch diſtiller and diſtillers for every ſuch offence, ſhall forfeit and loſe the ſum of five hundred pounds.

or if he ſhall open any of the locks in the abſence of the officer,

or make any way into ſuch warehouſe,

or alter the condition thereof without giving notice to the ſurveyor,

and his conſent be firſt had;

or ſhall clandeſtinely remove any of the ſpirits;

or waſh, or low wines, &c.

ſhall forfeit 500l.

XI. Provided always, That nothing in this act contained ſhall extend to hinder any maker of ſpirits for exportation from ſending ſuch ſpirits out of his locked up warehouſe to any other diſtiller, provided ſuch maker of ſpirits ſending the ſame, and the diſtiller who ſhall receive the ſame, do, before ſuch ſpirits are taken out of the warehouſe, give bond with ſufficient ſecurity, to be approved of as any other ſecurity is directed by this act to be approved, in double the value of ſuch ſpirits, and double the duties they would have been liable to, if made for home conſumption, for the due and fair exportation of ſuch ſpirits, within three months next after the date of each reſpective bond, and provided leave for that purpoſe be firſt obtained in writing from

Spirits made for exportation may be ſent by the maker to the diſtiller, bond being firſt given for the due exportation thereof, and leave alſo had from the commiſſioners, and notice given to the officer.

from the commiſſioners of exciſe for the time being, and that notice thereof ſhall have been given to the officer of exciſe, twenty four hours at the leaſt, in order that ſuch officer may receive the ſame into ſuch diſtiller's ſtock; and provided ſuch ſpirits be removed with a proper certificate from an officer of exciſe; and when ſuch ſpirit, ſhall be ſo received by ſuch diſtiller, the ſame ſhall be under the like directions as to the rectification and exportation thereof, and all other matters and things, as if ſuch ſpirits had been rectified and exported by the maker thereof; and ſuch diſtiller ſhall, for breach of any of thoſe directions, be ſubject to the like penalties as the maker of ſuch ſpirits would have been for the like offences.

and ſo as the ſame be removed with a certificate, &c. and diſtiller is thereafter liable to the ſame penalties for breach of directions, as the maker would have been.

XII. And it is hereby further enacted by the authority aforeſaid, That from and after the ſaid twenty firſt day of *January*, one thouſand ſeven hundred and ſixty two, no raw unrectified ſpirits, ſhall be permitted to be exported; and when any ſuch diſtiller or diſtillers, for exportation, ſhall be deſirous to take any of his, her, or their ſpirits, out of any of the ſaid warehouſes, where the ſame ſhall be locked up, in order to be rectified, or when rectified, and again depoſited in ſuch warehouſe or warehouſes, in order to be put immediately on ſhip-board for exportation, he, ſhe, or they, ſhall thereof give notice in writing to the ſurveyor or ſuperviſor, or the officer of exciſe of the diviſion or diſtrict where ſuch ſpirits ſhall be ſo locked up, the ſpace of four hours before the time he, ſhe, or they ſhall deſign to take out the ſame as aforeſaid, and ſhall alſo inſert in the ſaid notice, the preciſe day and hour of ſuch day, when he, ſhe, or they, ſhall or do intend taking any of the ſaid ſpirits out of the ſaid warehouſe or warehouſes, and ſhall alſo inſert in ſuch notice the quantity and quality of ſpirits he, ſhe, or they, do then deſire to take out, and whether ſuch ſpirits are raw or rectified, and out of what particular warehouſe, and whether the ſame are for rectification and by whom, or for immediate exportation, or to be ſent coaſtways, and to whom and to what port, and whether for merchandiſe or ſtores; and in ſuch caſe the reſpective ſurveyor or ſuperviſor, or officer, is and are hereby required to attend purſuant to ſuch notice at the reſpective places where the ſaid ſpirits ſhall be locked up, and ſee the quantity of ſpirits taken out in purſuance of ſuch notice, and he or they are hereby required to take an exact account of the ſame; and in caſe any ſuch diſtiller or diſtillers, ſhall not begin and proceed to take the ſaid ſpirits out of the ſaid warehouſe or warehouſes, at the hour and time mentioned in ſuch notice, or within two hours next after, then every ſuch notice ſhall be, and is hereby declared to be void, and ſuch diſtiller or diſtillers ſhall be, and is hereby obliged to give a freſh and like notice in manner aforeſaid, four hours at the leaſt before he, ſhe, or they, ſhall begin to take any of the ſaid ſpirits out of the ſaid warehouſe or warehouſes: and in caſe any ſuch diſtiller or diſtillers ſhall neglect or refuſe to give ſuch firſt notice, before he takes out any of the ſaid ſpirits, or to inſert in ſuch notice the par-

Raw, unrectified ſpirits prohibited to be exported.

Diſtiller to give due notice to the proper officer, when any ſpirits are intended to be taken out of any warehouſe, in order to be rectified, or ſhipped on board for exportation, &c.

and the officer is to attend and take an account thereof;

and diſtiller not keeping to his time, is to give freſh notice;

and failing in any of the particulars here required, forfeits 100l.

Raw ſpirits taken out, in purſuance of notice, are to be forthwith put into the ſtill in the officers preſence, and rectified, and run off into the ſpirit cask; and then made up proof and gauged; and are afterwards to be put into casks, and ſhipped for exportation, or ſecured in proper warehouſes. Where the ſpirits can't be conveyed from the ſpirit cask the ſame day, and ſecured in the warehouſe, the officer is to gauge the ſame, and take ſamples thereof, and ſecure the lid of the cask; and if any fraud ſhall thereupon be committed, the diſtiller ſhall pay double duties. Any of the ſaid ſpirits originally intended for exportation, may, upon application to the commiſſioners, and payment of the duties, be taken out of the warehouſes, and uſed for home conſumption.

particulars in ſuch notice herein before required, or to give a freſh notice in manner aforeſaid, four hours at the leaſt before he, ſhe, or they, ſhall begin to take out any of the ſaid ſpirits, in caſe he, ſhe, or they ſhall not begin, and proceed to take out the ſaid ſpirits at the hour and time mentioned in the ſaid firſt notice, or within two hours next afterwards, ſuch diſtiller or diſtillers ſhall, in every ſuch caſe, for every ſuch offence, forfeit and loſe the ſum of one hundred pounds.

XIII. And be it further enacted by the authority aforeſaid, That when any raw ſpirits ſhall be ſo taken out, in purſuance of ſuch notice, the ſame ſhall be immediately pumped up, or put, in the preſence of the officer of exciſe, into the ſtill or ſtills, and be rectified forthwith, and the ſpirits ſhall be run off immediately from the ſtill into a like caſk as is before directed to be provided and entered for the containing of ſpirits immediately diſtilled from low wines; and when the whole quantity of ſpirits deſigned to be made into brandy ſhall be collected in ſuch caſk from each ſtill, the ſame ſhall be immediately made up in the preſence of the officer of exciſe to the ſtrength of one to ſix under hydrometer proof, at which ſtrength all ſpirits are to be exported, and a true gauge of ſuch ſpirits ſo made up, ſhall then be taken by the officer of exciſe, who ſhall keep an exact account thereof; and ſuch ſpirits ſhall immediately afterwards be put into casks, and, in the preſence of the officer of exciſe, either carried directly on ſhip-board for exportation (if intended to be immediately exported) or elſe into ſuch warehouſe or warehouſes, to be locked up in manner aforeſaid.

XIV. Provided always, and it is hereby enacted by the authority aforeſaid, That in caſe it ſhall at any time ſo happen, that the ſpirits diſtilled for exportation in one day belonging to any diſtiller or diſtillers, cannot, for want of time, be conveyed from the ſpirit cask (into which they are directed to be run immediately from the ſtill) and locked up in the warehouſe or warehouſes, as herein before is directed, the officer of exciſe ſhall gauge the ſame and ſecure the lid of the ſaid ſpirit cask, and take ſamples thereof; which ſpirits ſhall be locked up in ſuch warehouſe or warehouſes the next morning (if not intended for immediate exportation): and if it ſhall appear that any decreaſe has been made in the quantity or quality of the ſaid ſpirits ſo gauged, or in caſe any ſuch ſpirits ſhall have been removed in the abſence of the officer of exciſe, in either of the ſaid caſes the diſtiller or diſtillers ſhall be and are hereby charged for the ſaid ſpirits ſo decreaſed or removed, with double the duties ſuch ſpirits would have been charged with if made for home conſumption; which the officer of exciſe is hereby required to charge accordingly.

XV. Provided alſo, and it is hereby enacted by the authority aforeſaid, That if any ſuch diſtiller or diſtillers, after he, ſhe, or they have depoſited any ſpirits made for exportation (whether raw or rectified) in manner aforeſaid, in ſuch warehouſe or warehouſes, ſhall be deſirous of uſing any ſuch ſpirits for home conſumption and ſhall ſignify ſuch his, her, or their deſire to the commiſ

ſioners

ſioners of exciſe for the time being, it ſhall and may be lawful for the ſaid commiſſioners, or any two of them, to direct the quantity of ſpirits ſo deſired to be taken out of ſuch warehouſe or warehouſes, and delivered to ſuch diſtiller or diſtillers, he, ſhe, or they having firſt duly paid to the proper officer of exciſe appointed to receive the duties on low wines and ſpirits, the ſum of forty pounds, and ten ſhillings, for each tun of ſuch ſpirits of the ſtrength they were taken into ſuch warehouſe; *videlicet*, one to ſix under hydrometer proof.

A gallon of brandy, or proof ſpirit, to be reckoned at 7 lb. 13 oz. the gallon.

XVI. And for the purpoſes of this act, it is hereby enacted by the authority aforeſaid, That each gallon of brandy, or ſpirits of the ſtrength of one to ſix under hydrometer proof, ſhall be taken and reckoned at ſeven pounds and thirteen ounces the gallon.

The ſame quantity of rectified ſpirits is to be produced, as was delivered out of raw ſpirits to be rectified, allowing for the feints.

XVII. And it is hereby further enacted by the authority aforeſaid, That from and after the ſaid twenty firſt day of *January*, one thouſand ſeven hundred and ſixty two, when any quantity of raw ſpirits ſhall, in purſuance of any notice, be delivered out of the warehouſe or warehouſes, in order to rectify the ſame, as many gallons of rectified ſpirits, and of the ſame ſtrength when made up, ſhall be produced, as ſuch quantity amounted to when taken out of the warehouſe or warehouſes, allowing only for the feints; and the commiſſioners of exciſe for the time being are hereby authorized and required to make juſt allowances for neceſſary waſte, and the difference that will ariſe between gauging and weighing ſpirits; which feints ſhall alſo be run off from the ſtill directly into one large entered feint caſk, and ſhall be immediately gauged as ſoon as the ſtill is off, and an account thereof taken by the officer of exciſe, and kept in ſtock by him, who ſhall and may take a ſample or ſamples of ſuch feints; which feints ſhall be in like manner locked up in ſuch warehouſe or warehouſes, and ſhall be there put into one or more large caſks to be provided by ſuch diſtiller or diſtillers, and marked with the word *feints*; and every ſuch diſtiller and diſtillers ſhall, once a month at leaſt, diſtil all his feints, and make up the ſpirits to be produced therefrom of the ſtrength of one to ſix under hydrometer proof; and all ſuch ſpirits ſhall then be locked up, or exported as other ſpirits for exportation are hereby directed to be.

allowances to be made alſo for waſte, and the difference between gauging and weighing ſpirits.

Feints to be run off into the feint caſk, and gauged, and kept in ſtock, and ſecured; and ſamples taken by the officer; and to be all diſtilled once a month, at leaſt, and made into proof ſpirits; and then locked up, or exported.

XVIII. And it is hereby further enacted by the authority aforeſaid, That from and after the ſaid twenty firſt day of *January*, one thouſand ſeven hundred and ſixty two, in order the more effectually to prevent ſuch diſtillers from fraudulently removing waſh, low wines, or ſpirits, if any decreaſe ſhall at any time or times appear to be found in the waſh of any diſtiller or diſtillers, brewed or made for the diſtilling of ſpirits for exportation (except ſuch decreaſe as ſhall be made appear to the ſatisfaction of the commiſſioners of exciſe for the time being, to have really and truly ariſen from accidents) ſuch diſtiller or diſtillers ſhall be, and is and are hereby charged with a double duty for the quantity of low wines and ſpirits ſuch waſh ſo decreaſed

Diſtiller to pay double duty, for any fraudulent decreaſe of waſh or ſpirits for exportation,

to be computed according to the quantity ſuch waſh would make of low wines and ſpirits for home conſumption; and to pay double duty, in like manner, for any fraudulent decreaſe in his ſtock of ſpirits made for exportation.

creaſed is preſumed to make: and the officers of exciſe are hereby required in ſuch caſe, to make ſuch charge accordingly, calculating ſuch waſh ſo found to be decreaſed, to produce the ſame quantity of low wines and ſpirits as waſh is preſumed to do when ſpirits are made for home conſumption: and if any decreaſe ſhall at any time or times appear in the ſtock of ſpirits made for exportation, belonging to any ſuch diſtiller or diſtillers except ſuch as can or may be accounted for by the certificates of the proper officer or officers either as being exported as merchandiſe, or for ſtores, or as being taken out for home conſumption, on payment of duties by the conſent of the commiſſioners of exciſe, or by any allowance the ſaid commiſſioners ſhall have made to any ſuch diſtiller or diſtillers, for or by reaſon of waſte, or any difference which may have ariſen between gauge and weight, or by being ſent coaſtways for exportation, or by being ſent, with the conſent of the commiſſioners of exciſe, to any other diſtiller, in order to be rectified for exportation, every ſuch diſtiller and diſtillers ſhall be charged, and the officers of exciſe are hereby required to charge him, her, or them, for all the ſpirits ſo found to be decreaſed and not properly accounted for, with double the duties ſuch ſpirits would have been charged with if made for home conſumption: and the more effectually to prevent ſuch diſtillers from working in the abſence of the officers of exciſe, every ſuch diſtiller and diſtillers is and are hereby required to permit the officer of exciſe to ſecure the head and heads of his, her, or their ſtill or ſtills, when ſuch ſtill or ſtills, are not at work, and alſo the pump or pumps for charging the ſtill or ſtills, and emptying the low wine and ſpirit caſk, ſo as to prevent the ſame being uſed in the abſence of the officer, and alſo to ſecure the lid or head of the low wine and ſpirit caſks, and the ſafe at the end of the worm, to prevent any ſpirits or low wines being ſecreted, whilſt the ſtill is at work, all which the ſaid officers are hereby impowered to do.

Officer to ſecure the ſtill and other veſſels from being fraudulently made uſe of in his abſence;

and the ſpirits from being ſecreted.

On delivery of ſpirits to be ſent coaſtways, with certificate for exportation, the diſtiller is to give bond and ſecurity for the due landing thereof in the port where entered for.

XIX. And be it further enacted by the authority aforeſaid, That when ſpirits made for exportation ſhall be delivered out of any warehouſe or warehouſes ſo ſecured as aforeſaid to be ſent coaſtways (with a certificate from the proper officer) in order for exportation to foreign parts from any port of this kingdom, the diſtiller or diſtillers out of whoſe warehouſe ſuch ſpirits were delivered, ſhall, on taking out the ſame, give bond, with ſufficient ſecurity, to his Majeſty, his heirs, and ſucceſſors, to be approved of by the reſpective commiſſioners of exciſe for the time being, or any three of them, or by ſuch perſon or perſons as they ſhall, from time to time, appoint for that purpoſe, in double the value of the ſpirits, and double the duties which are payable for the like ſpirits diſtilled for home conſumption, that the ſame ſpirits and every part thereof, ſhall (the danger of the ſeas and enemies excepted) be really and truly landed in ſuch port of this kingdom, for which the ſame ſhall be entered; and ſuch bonds ſo entered into, ſhall not be diſcharged or be delivered up until a certificate ſhall be produced from

from the chief officer of exciſe of the port for which ſuch ſpirits were entered, teſtifying the landing thereof, and deſcribing the number of the caſks or other package containing the ſpirits, and the particular marks of ſuch caſks or package, and the exact quantity of ſpirits landed; and alſo teſtifying that the maſter, mate, purſer, or other perſon, having the charge of the ſhip or veſſel during the voyage in which the ſaid ſpirits were ſent coaſtways, had made oath before him that the ſaid ſpirits, and every part thereof were fairly landed there, and that at the time of landing they were of the ſame quality as when ſhipped on board, and that no part of ſuch ſpirits had been wilfully or fraudulently diminiſhed, relanded, or unſhipped, ſince the ſame were put on board (which oath the ſaid reſpective officers of exciſe are hereby impowered to adminiſter) and alſo teſtifying that the ſame ſpirits, and every part thereof, were really and truly, ſince their arrival there, exported from thence to foreign parts; and the condition of all ſuch coaſt bonds ſhall be, to produce ſuch certificate in ſix months from the date thereof; and ſuch ſpirits ſo to be ſent coaſtways, when landed at the port for which they were entered, ſhall be, immediately on the landing thereof, put into a proper warehouſe, and there continued until the ſame ſhall be exported, and ſhall be ſecured by the perſon to whom they are ſent, and by the ſaid chief officer of exciſe, by two different locks and keys, one of which ſaid keys ſhall be kept by the ſaid perſon, and the other by the ſaid officers; which warehouſe lock and keys ſhall be provided by the perſons to whom the ſpirits were ſent; and all maſters, commanders, and other perſons, belonging to any ſhip or veſſel carrying goods coaſtways, who ſhall aſſiſt or connive at the fraudulent landing, embezzeling, or diminiſhing, any ſpirits ſent coaſtways, and all other perſons aſſiſting or otherwiſe concerned in the unſhipping the ſame, or to whoſe hands the ſame ſhall knowingly come, are hereby declared to be ſubject and liable to all the like pains, penalties, and forfeitures, as are inflicted by any former act or acts of parliament for enforcing the fair exportation of ſpirits to foreign parts.

Bonds not to be diſcharged, till a certificate, conditioned to be returned in 6 months, be produced from the proper officer of the landing the ſame accordingly, and of oath, being made by the maſter that the ſame were fairly landed there, without any fraud in the quantity or quality of the ſpirits;

and proof that the ſame have ſince been exported from thence to foreign parts;

and the ſpirits, on their landing, are to be ſecured in a proper warehouſe till exported.

Maſters, and others, concerned in the fraudulent landing, or embezzeling ſpirits ſent coaſtways, are liable to penalties.

XX. And for the further encouragement of the exportation of ſpirits made or drawn in *Great Britain* from corn, be it enacted by the authority aforeſaid, That from and after the twenty firſt day of *January*, one thouſand ſeven hundred and ſixty two, there ſhall be a bounty of three pounds and twelve ſhillings for every tun of ſpirits ſo drawn or made in *Great Britain* from corn which ſhall be exported as merchandize to parts beyond the ſeas; and upon oath being made before any two or more of the commiſſioners of exciſe, or juſtices of the peace for the county or place from whence any ſuch ſpirits are intended to be exported, that the ſame were drawn and made in *Great Britain* from corn under the regulations of this act, and not mixed with any other materials, except what were neceſſary for rectifying the ſame; and that ſince the making thereof the ſame have been properly ſecured in a warehouſe or warehouſes according to the directions of

A bounty of 3l. 12s. per tun, is allowed on all Britiſh ſpirits made from corn, exported as merchandiſe to foreign parts; oath being made of a due conformity to the regulations of this act;

and a certificate produced from the proper officer of the quantity ſhipped.

of this act; and that the ſame are to be exported for merchandize to be ſpent beyond the ſeas; and upon producing a certificate under the hand or hands of the officer or officers of exciſe for the port or place where ſuch ſpirits were ſhipped, of the quantities ſo ſhipped, and that the ſame were ſhipped in the preſence of ſuch officer or officers, the diſtiller or diſtillers ſhall be paid by the commiſſioners of exciſe, or their collector for the port or place where ſuch ſpirits ſhall be ſhipped, the ſaid bounty of three pounds twelve ſhillings for every tun of ſuch ſpirits ſo ſhipped off; and ſo in proportion for any greater or leſs quantity.

Spirits ſhipped for ſtore be openly ſtowed, while the veſſel is in port, that the officers may examine the ſame, on forfeiture of double duty; to be paid by the maſter. On entry of ſpirits made for exportation for Ireland, America, Africa, or parts in Europe, like bonds are to be given, certificates produced, and proofs made, as are required in ſimilar caſes on exportation of ſpirits, by the recited act of 33 Geo. II.

XXI. And whereas ſpirits ſhipped for ſtores are frequently concealed from the ſight of the officers of exciſe, under pretence of the ſame being put or placed beneath other goods, which gives an opportunity to defraud the revenue; be it therefore enacted by the authority aforeſaid, That from and after the ſaid twenty firſt day of *January*, one thouſand ſeven hundred and ſixty two, all ſuch ſpirits as ſhall be ſhipped for ſtores ſhall, during the time the ſhip or veſſel is or ſhall be within the limits of any port of this kingdom, be openly ſtowed and kept ſo that the officers of exciſe may at any time examine the ſame, on pain of forfeiting the double duty of all ſuch ſtores which ſhall not be ſo ſtowed and kept, or produced and ſhewn to the officers of exciſe; which ſaid double duty ſhall be charged by the officers of exciſe for ſuch ſtores which ſhall not be ſo ſtowed, and kept or produced and ſhewn, according to the rate ſuch ſpirits would have been charged with, if made for home conſumption; and which charge ſhall be paid by the maſter of the ſhip or veſſel on board of which ſuch ſtores were ſhipped: and when any ſpirits made for exportation ſhall be entered for exportation to *Ireland*, or his Majeſty's plantations in *America*, or to any other parts beyond the ſeas in *Europe*, or to any parts beyond the ſeas in *Africa*, the exporter or exporters thereof, when the whole quantity of ſpirits intended at that time to be exported ſhall be ſhipped, ſhall immediately give and enter into ſuch and the like bonds for the due and fair exportation of ſuch ſpirits, and produce ſuch certificates within the reſpective times, and make ſuch proofs as were reſpectively required to be given, entered into, produced and made, by the ſaid herein in part recited act of the thirty third year of the reign of his ſaid late Majeſty King *George* the Second, on the exportation of ſpirits to the reſpective places before-mentioned, in purſuance of the directions of that act; except only that the penalty in every bond ſo to be entered into in purſuance of this act, ſhall be double the value of the ſpirits entered for exportation, and double the duties ſuch ſpirits ought to have paid, if they had been made for home conſumption; and until ſuch bond ſhall be entered into by the exporter or exporters, the diſtiller or diſtillers, from whoſe warehouſe ſuch ſpirits were ſent, ſhall be and are hereby charged for ſuch quantity of ſpirits ſo ſhipped for exportation, with double the duties ſuch ſpirits would have been charged with if made for home conſumption; and ſuch charge ſhall not be diſcharged until ſuch

excepting as to the penalty which is to be double the value, and double the duties, and till bond is entered into by the exporter, the diſtiller is liable to the double duties.

bond ſhall be entered into: And when any *Britiſh* made or foreign ſpirits ſhall be entered for exportation to any parts beyond the ſeas in *Aſia*, the exporter or exporters thereof, when the whole quantity of ſpirits intended at that time to be exported ſhall be ſhipped, ſhall immediately give and enter into a bond of the like tenor and condition, with the like ſecurity, and make the like proof as was required to be given, entered into, and made, by the ſaid herein in part recited act, on the exportation of ſpirits to parts beyond the ſeas in *Africa*, in purſuance of the directions of that act; except only that the penalty in every bond ſo to be entered into in purſuance of this act, ſhall be double the value of the ſpirits entered for exportation, and double the duties ſuch ſpirits ought to have been charged with, if they had been made or uſed for home conſumption; and until ſuch bond ſhall be entered into by the exporter or exporters, the diſtiller or diſtillers, from whoſe warehouſe ſuch ſpirits were ſent, ſhall be and are hereby charged for ſuch quantity of ſpirits ſo ſhipped for exportation, with double the duties ſuch ſpirits would have been charged with, if made for home conſumption; and ſuch charge ſhall not be diſcharged until ſuch bond ſhall be entered into; and alſo except that the proof of the due exportation of ſuch ſpirits ſhall not be required to be made till the end of three years from the date of ſuch reſpective bond; and all and every perſon and perſons authorized by the ſaid in part recited act to adminiſter any oath or oaths in any ways relating to the due exportation of ſpirits under the directions of that act, ſhall be and are hereby impowered to adminiſter the like oaths for the purpoſes of this act.

Bonds, &c. for ſpirits entered for Aſia, to be of like tenor and condition with thoſe required by the recited act for ſpirits entered for Africa, except as to the penalty; and until bond is enter'd into, the diſtiller is liable to the duties, &c.

Power of adminiſtering oaths in theſe caſes, the ſame as under the recited act.

XXII. And it is hereby further enacted by the authority aforeſaid, That if any diſtiller or diſtillers, or any other perſon or perſons ſhall obſtruct, moleſt, let, or hinder any officer of exciſe, in the due execution of the powers or authorities, or any of them, given by this act, all and every perſon and perſons ſo offending, ſhall for every ſuch offence, forfeit and loſe the ſum of one hundred pounds.

Penalty of obſtructing an officer in the execution of his duty, 100l.

XXIII. And be it further enacted by the authority aforeſaid, That all and every the powers, authorities, directions, rules, methods, penalties, and forfeitures, clauſes, matters, and things, which in and by an act made in the twelfth year of the reign of king *Charles* the Second, intituled, *An act for taking away the court of wards and liveries, and tenures* in Capite, *and by knights ſervice and purveyance, and for ſettling a revenue upon his Majeſty in lieu thereof*) or by any other law now in force, relating to his Majeſty's revenue of exciſe upon beer, ale, or other liquors, are provided, ſettled, or eſtabliſhed, for ſecuring, enforcing, managing, raiſing, levying, collecting, paying, mitigating, or recovering, adjudging, or aſcertaining, the duties or penalties thereby granted, and for preventing, detecting, and puniſhing, frauds relating thereto, or in any wiſe relating to the due and fair exportation of ſpirits to foreign parts (not otherwiſe altered by this act) ſhall be exerciſed, practiſed, applied

The powers, rules, penalties, and clauſes, &c. in act 12 Car. 2. or in any other law of exciſe now in force, extended to this act.

plied, uſed, impoſed, levied, recovered, and put in execution, for the ſecuring, enforcing, managing, raiſing, levying, collecting, paying, mitigating, adjudging, aſcertaining, and recovering the duties and penalties hereby granted, and for preventing, detecting, and puniſhing frauds relating thereto, or in any wiſe relating to the due and fair exportation of ſpirits to foreign parts; as fully and effectually to all intents and purpoſes, as if all and every the ſaid powers, authorities, rules, directions, methods, penalties, and forfeitures, clauſes, matters, and things, were particularly repeated and again enacted in the body of this preſent act.

Recovery, mitigation, and application of penalties, in general.

XXIV. And be it further enacted and declared by the authority aforeſaid, That all fines penalties, and forfeitures impoſed by this act, ſhall be ſued for, levied, recovered, or mitigated, by ſuch ways, means, and methods as any fine, penalty, or forfeiture, is or may be recovered or mitigated by any law or laws of exciſe (not otherwiſe directed by this act) or by action of debt, bill, plaint, or information, in any of his Majeſty's courts of record at *Weſtminſter*, or in the court of exchequer in *Scotland*, reſpectively, and that one moiety of every ſuch fine, penalty, or forfeiture, ſhall be to his Majeſty, his heirs, and ſucceſſors, and the other moiety to him or them who ſhall diſcover, inform, or ſue for the ſame.

General iſſue.

XXV. And be it further enacted by the authority aforeſaid, That if any perſon or perſons ſhall be ſued, moleſted, or proſecuted for any thing done by virtue or in purſuance of this act; ſuch perſon and perſons ſhall and may plead the general iſſue, and give this act and the ſpecial matter in evidence, in his, her, or their defence or defences; and if afterwards a verdict ſhall paſs for the defendant or defendants, or the plaintiff or plaintiffs ſhall diſcontinue his, her, or their action or actions, or be nonſuited, or judgment ſhall be given againſt him, her, or them, upon demurrer, or otherwiſe, then ſuch defendant or defendants ſhall have treble coſts awarded to him, her, or them, againſt any ſuch plaintiff or plaintiffs.

Treble coſts.

CAP. VI.

An act for the importation of ſalted beef, pork, and butter, into this kingdom from Ireland, *for a limited time, for the ſupply of his Majeſty's ſhips, tranſport and other ſhips and veſſels, in his Majeſty's immediate ſervice and pay.*

Preamble.

FOR *the more eaſy victualling of his Majeſty's ſhips, and tranſport and other ſhips and veſſels, at this time*; be it enacted; and it is hereby enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons in this preſent parliament aſſembled, and by the authority of the ſame, That from and after the twenty fourth day of *December*, in this preſent year one thouſand ſeven hundred and ſixty one, it ſhall and may be lawful for the commiſſioners for victualling his Majeſty's navy, or for any perſon or perſons having an authority under the hands

Commiſſioners for victualing the navy, and perſons authorized by them, may

hands and ſeals of any three or more of them, to import any ſort of ſalted beef, pork, and butter, into this kingdom from *Ireland*, to be applied for the ſole uſe and ſupply of ſuch ſeamen, marines, and other forces, as ſhall be on board of his Majeſty's ſhips, and tranſport and other ſhips and veſſels, in his Majeſty's immediate ſervice and pay, and to and for no other uſe or purpoſe whatſoever; and the ſaid commiſſioners, and other perſons authorized as aforeſaid, acting according to the true intent and meaning of this act, ſhall be, and they are hereby, exempted from the payment of all ſubſidies, cuſtoms, rates, duties, and other impoſitions, and from all penalties, forfeitures, payments, and puniſhments, for or upon account of importing, or bringing of ſalted beef, pork, and butter, into this kingdom from *Ireland*, for the uſes aforeſaid; any act or acts of parliament to the contrary notwithſtanding: And the ſaid commiſſioners ſhall take care that upon the importation of ſuch ſalted beef, pork, and butter, into this kingdom from *Ireland*, the ſame, and every part thereof, ſhall be depoſited in his Majeſty's ſtorehouſes at or neareſt the port where the ſame ſhall be imported, there to be under the care and inſpection of the proper officers having the care of his Majeſty's ſtores for victualling ſhips and veſſels in his Majeſty's ſervice, and ſhall be applied as is herein before directed; and the ſaid commiſſioners ſhall cauſe an account to be kept of all ſuch ſalted beef, pork and butter, and how the ſame is diſpoſed of.

import ſalted beef, pork, and butter from Ireland, for the uſe of the navy, tranſport and other veſſels in his Majeſty's pay, duty-free, &c.

taking care that the ſame be depoſited in the King's ſtorehouſes, and applied accordingly; and that an account be kept thereof, and how the ſame is diſpoſed of.

II. Provided nevertheleſs, That if at any time it ſhall happen that any of the ſaid proviſions which ſhall be imported under the authority of this act, ſhall be, by the ſaid commiſſioners, deemed unſerviceable, then it ſhall and may be lawful for the ſaid commiſſioners, or any three or more of them, to order and direct any perſon or perſons they ſhall think proper, to ſell the ſame, for the beſt price or prices that can be got; and ſuch perſon or perſons ſo authorized to ſell the ſame ſhall, and he and they is and are hereby required to give a certificate or certificates in writing to the purchaſer or purchaſers thereof, expreſſing the nature and quantity of the proviſions ſo ſold, the marks of the caſks, or other packages, containing the ſame, and the time of ſelling thereof; which certificate or certificates ſhall indemnify ſuch purchaſer and purchaſers from all penalties, forfeitures, and puniſhments, for or upon account of ſuch ſalted beef, pork, or butter, ſo purchaſed by them as aforeſaid.

If any of the ſaid proviſions ſhall be deemed unſerviceable, the commiſſioners may authorize the ſame to be ſold;

the ſeller giving a certificate to the purchaſer, of the nature and quantity thereof, &c.

which ſhall indemnify the purchaſer.

III. And be it further enacted by the authority aforeſaid, That if any action or ſuit ſhall be commenced againſt any perſon or perſons for any thing done in purſuance of this act, the defendant or defendants, in any ſuch action or ſuit, ſhall and may plead the general iſſue, and give this act, and the ſpecial matter, in evidence, at any trial to be had thereupon; and that the ſame was done in purſuance, and by the authority, of this act: And if it ſhall appear to have been ſo done, the jury ſhall find for the defendant or defendants; and if the plaintiff ſhall be nonſuited,

Limitation of actions.

General iſſue.

nonſuited, or diſcontinue his action, after the defendant or defendants ſhall have appeared; or if judgment ſhall be given, upon any verdict or demurrer, againſt the plaintiff, the defendant and defendants ſhall and may recover treble coſts, and have the like remedy for the ſame, as any defendant or defendants hath or have in other caſes by law.

Treble coſts.

This act to be in force till 24 Dec. 1762.

IV. And be it further enacted by the authority aforeſaid, That this act ſhall continue and be in force from the ſaid twenty fourth day of *December*, in this preſent year one thouſand ſeven hundred and ſixty one, until the twenty fourth day of *December*, which ſhall be in the year of our Lord one thouſand ſeven hundred and ſixty two, and no longer.

CAP. VII.

An act for enabling his Majeſty to raiſe a certain ſum of money towards paying off and diſcharging the debt of the navy, and towards naval ſervices for the year one thouſand ſeven hundred and ſixty two.

Moſt Gracious Sovereign,

Preamble.

WE *your Majeſty's moſt dutiful and loyal ſubjects, the commons of* Great Britain *in parliament aſſembled, for raiſing the ſupply granted to your Majeſty, towards paying off and diſcharging the debt of the navy, and alſo towards raiſing the ſupply granted to your Majeſty for naval ſervices, in the year one thouſand ſeven hundred and ſixty two; have reſolved to give and grant unto your Majeſty, the ſum of one million five hundred thouſand pounds; and do therefore moſt humbly beſeech your Majeſty that it may be enacted*; and be it enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That it ſhall and may be lawful to and for the King's moſt excellent Majeſty by warrant or warrants, under his royal ſign manual, to authorize and impower the commiſſioners of his Majeſty's treaſury, now or for the time being, or any three or more of them, or the lord high treaſurer for the time being, at any time or times before the fifth day of *January*, one thouſand ſeven hundred and ſixty three, to cauſe or direct any loans to be taken or received at his Majeſty's exchequer, from any perſon or perſons, natives or foreigners, body or bodies politic or corporate; or any number of exchequer bills, to be made out there for any ſum or ſums of money, not exceeding in loans and exchequer bills together, in the whole, the ſaid ſum of one million five hundred thouſand pounds; in the ſame or like manner, form, and order, and according to the ſame or like rules and directions as in and by an act of this preſent ſeſſion of parliament, intituled, *An act for granting an aid to his Majeſty by a land tax to be raiſed in* Great Britain *for the ſervice of the year one thouſand ſeven hundred and ſixty two*, are enacted and preſcribed concerning the loans or exchequer bills to be taken or made in purſuance of the ſaid act.

The ſum of 1,500,000 l. granted;

to be raiſed by loans or exchequer bills,

in like manner as loans or exchequer bills authorized by the land tax of this ſeſſion;

II. And

and all the clauſes and powers, &c. in the ſaid act relating to the loans or exchequer bills, are extended to this act.

II. And be it further enacted by the authority aforeſaid, That all and every the clauſes, proviſoes, powers, privileges, advantages, penalties, forfeitures, and diſabilities, contained in the ſaid laſt-mentioned act relating to the loans or exchequer bills authorized to be made by the ſame act (except ſuch clauſes as do charge the ſame on the taxes granted by the ſame act, and except ſuch clauſes as limit the rate of intereſt to be paid for the forbearance of money lent on the credit of the ſaid act, and alſo except as is herein after-mentioned) ſhall be applied and extended to the loans and exchequer bills to be made in purſuance of this act, as fully and effectually to all intents and purpoſes as if the ſame loans or exchequer bills had been originally authorized by the ſaid laſt mentioned act; or as if the ſaid ſeveral clauſes or proviſoes had been particularly repeated and re-enacted in the body of this act.

Exception.

Exchequer bills iſſued to the treaſurer of the navy, not to be received again in payment of any of the public revenues, or exchanged before 26 *March*, 1763.

III. Provided always, and be it further enacted by the authority aforeſaid, That no exchequer bill or bills to be made out by virtue of this act, ſhall, after the ſame hath or have been iſſued and paid at the exchequer, to the treaſurer of his Majeſty's navy for the time being, and applied by him for the purpoſes herein after-mentioned, be afterwards, at any time before the twenty ſixth day of *March*, one thouſand ſeven hundred and ſixty three, received or taken, or paſs or be current to any receiver or collector in *Great Britain*, of the cuſtoms, exciſe, or any revenue, ſupply, aid, or tax, whatſoever, due or payable to his Majeſty, his heirs or ſucceſſors, or at the receipt of the exchequer, from any ſuch receiver or collector, or from any other perſon or perſons, bodies politic or corporate, otherwiſe, or on any other account than for the diſcharge and cancelling of ſuch bills, in caſe the ſame ſhall be in due courſe or order of payment before the ſaid twenty ſixth day of *March*; nor ſhall any ſuch receiver or collector exchange, at any time before the ſaid twenty ſixth day of *March*, for any money of ſuch revenues, aids, taxes, or ſupplies, in his hands, any exchequer bill or bills which ſhall have been iſſued and applied as aforeſaid, by virtue of this act; nor ſhall any action be maintained againſt any ſuch receiver or collector for neglecting or refuſing to exchange any ſuch bill or bills for ready money, before the ſaid twenty ſixth day of *March*; any thing in the ſaid act made in this preſent ſeſſion of parliament, intituled, *An act for granting an aid to his Majeſty by a land tax to be raiſed in* Great Britain, *for the ſervice of the year one thouſand ſeven hundred and ſixty two*, or this act, contained to the contrary notwithſtanding.

The ſaid loans or exchequer bills, and intereſt to be paid out of the firſt ſupplies granted in the next ſeſſion;

IV. And be it further enacted by the authority aforeſaid, That all ſuch loans or exchequer bills, together with the intereſt, premium, rate, and charges, incident to or attending the ſame, ſhall be, and are hereby charged and chargeable upon, and ſhall be repaid or borne by or out of the firſt aids or ſupplies which ſhall be granted in the next ſeſſion of parliament; and in caſe ſufficient aids or ſupplies, for that purpoſe, ſhall not be granted before

otherwiſe to be charged on, and payable out of, the ſinking fund.

fore the fifth day of *July* one thouſand ſeven hundred and ſixty three, then all the ſaid loans or exchequer bills, with the intereſt, premium, rate, and charges, incident to or attending the ſame, ſhall be and are hereby charged and chargeable upon ſuch monies, as, at any time or times, at or after the ſaid fifth day of *July*, one thouſand ſeven hundred and ſixty three, ſhall be or remain in the receipt of the exchequer, of the ſurpluſſes, exceſſes, overplus monies, and other revenues, compoſing the fund commonly called *The Sinking Fund* (except ſuch monies of the ſaid ſinking fund as are appropriated to any particular uſe or uſes, by any act or acts of parliament in that behalf) and ſuch monies of the ſaid ſinking fund ſhall and may be iſſued and applied, as ſoon as the ſame can be regularly ſtated and aſcertained, for and towards paying off, cancelling, and diſcharging, ſuch loans or exchequer bills, intereſt, premium, rate, or charges, until the whole of them ſhall be paid off, cancelled, and diſcharged, or money ſufficient for that purpoſe to be kept and reſerved in the exchequer, to be payable on demand to the reſpective proprietors thereof.

Monies iſſued out of the ſinking fund for that purpoſe, to be replaced out of the firſt ſupplies.

V. Provided always, and be it enacted by the authority aforeſaid, That whatever monies ſhall be ſo iſſued out of the ſaid ſurpluſſes, exceſſes, overplus monies, or other revenues, compoſing the ſinking fund, ſhall, from time to time, be replaced by and out of the firſt ſupplies to be then after granted in parliament; any thing herein contained to the contrary notwithſtanding.

Bank of *England* authorized to advance the ſaid ſum.

VI. And be it declared and further enacted by the authority aforeſaid, That it ſhall and may be lawful for the governor and company of the bank of *England*, to advance or lend to his Majeſty, in like manner, at the receipt of the exchequer, upon the credit of loan granted by this act, any ſum or ſums of money not exceeding in the whole the ſum of one million five hundred thouſand pounds; any thing in an act made in the fifth and ſixth years of the reign of king *William* and queen *Mary*, intituled, *An act for granting to their Majeſties ſeveral rates and duties upon tonnage of ſhips and veſſels, and upon beer, ale, and other liquors, for ſecuring certain recompences and advantages in the ſaid act mentioned, to ſuch perſons as ſhall voluntarily advance the ſum of one million five hundred thouſand pounds, towards carrying on the war againſt* France, to the contrary thereof in any wiſe notwithſtanding.

Act 5 & 6 *Will. & Mar.*

The ſame to be applied, viz. 1,000,000*l.* towards diſcharging the debt of the navy; and 500,000*l.* towards naval ſervices.

VII. And be it further enacted by the authority aforeſaid, That the ſaid ſum of one million five hundred thouſand pounds, by this act granted, ſhall be appropriated, and is hereby appropriated for and towards the uſes and purpoſes herein aftermentioned; that is to ſay, That out of the ſaid ſum, there ſhall and may be iſſued and applied any ſum or ſums of money not exceeding one million, towards paying off and diſcharging the debt of the navy; and any ſum or ſums of money not exceeding five hundred thouſand pounds, towards the naval ſervices herein after-

ter-mentioned; that is to ſay, towards victuals, wages, wear and tear of the navy, and the victualling thereof, performed, and to be performed; and towards ſea ſervices in the office of ordinance, performed, and to be performed; and towards defraying the ordinary of his Majeſty's navy, and half-pay to ſea officers; and towards maintaining nineteen thouſand and ſixty one marines; and towards the buildings, rebuildings, and repairs of his Majeſty's ſhips, for the year one thouſand ſeven hundred and ſixty two.

CAP. VIII.

An act for granting to his Majeſty ſeveral rates and duties upon windows, or lights.

Moſt Gracious Sovereign,

WHEREAS *by an act made in the twentieth year of the reign of his late Majeſty, intituled,* An act for repealing the ſeveral rates and duties upon houſes, windows, and lights; and for granting to his Majeſty other rates and duties upon houſes, windows or lights, and for raiſing the ſum of four millions four hundred thouſand pounds, by annuities to be charged on the ſaid rates or duties; *it was enacted, That there ſhould be charged, raiſed, levied, and paid, unto his Majeſty, his heirs, and ſucceſſors, the ſeveral rates and duties upon houſes, windows, or lights, in the ſaid act mentioned; which act was explained, amended, and enforced, by two other acts, one made in the ſame ſeſſion of parliament, and the other in the twenty firſt year of the reign of his ſaid late Majeſty: And whereas by an act made in the thirty firſt year of the reign of his ſaid late Majeſty, intituled,* An act for granting to his Majeſty ſeveral rates and duties upon offices and penſions, and upon houſes, and upon windows, or lights; and for raiſing the ſum of five millions, by annuities, and a lottery, to be charged on the ſaid rates and duties; *it was enacted, That there ſhould be charged, raiſed, levied, and paid, unto his Majeſty, his heirs, and ſucceſſors, the ſeveral additional rates and duties upon houſes, windows, or lights, in the ſaid act mentioned: And whereas by an act of this ſeſſion of parliament, the annuities payable in reſpect of the ſum of twelve millions advanced upon the credit of the ſaid act, are charged upon the fund commonly called* The Sinking Fund; *we, your Majeſty's moſt dutiful and loyal ſubjects, the commons of* Great Britain, *in parliament aſſembled, towards making good the ſaid annuities, or yearly payments, ſo charged on the ſaid fund, have reſolved to give and grant to your Majeſty the ſeveral rates and duties upon windows, or lights herein after mentioned; and do moſt humbly beſeech your Majeſty, that it may be enacted; and* be it enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That from and after the fifth day of *April*, one thouſand ſeven hundred and ſixty two, there ſhall be charged, raiſed, levied, and paid, unto his Majeſty, his heirs, and ſucceſſors, the ſeveral rates and duties upon windows, or lights, herein after mentioned; that is to ſay,

Preamble reciting clauſes in the acts of 20 & 21 Geo. II.

and 31 Geo. II.

The following rates and duties to take place from and after 5 April, 1762; viz.

1s. upon every window, or light, in houſes containing 8 or 9 windows, and no more;

For every window, or light, in every dwelling-houſe inhabited, or to be inhabited, within and throughout the whole kingdom of *Great Britain*, which ſhall contain eight or nine windows, or lights, and no more, the yearly ſum of one ſhilling for every window, or light, in ſuch houſe.

6d. additional on all containing 10 or 11, and not more;

And for every window, or light, in every dwelling-houſe as aforeſaid, which ſhall contain ten or eleven windows, or lights, and no more, the yearly ſum of ſix pence for each window, or light in ſuch houſe; over and above, and by way of addition to, the ſeveral and reſpective duties chargeable thereupon, by virtue of former acts of parliament made in that behalf.

1s. additional on all containing 12, 13, or 14, and not more;

And for every window, or light, in every dwelling-houſe as aforeſaid, which ſhall contain twelve, thirteen or fourteen windows, or lights, and no more, the yearly ſum of one ſhilling for each window, or light, in ſuch houſe; over and above, and by way of addition to, the ſeveral and reſpective duties chargeable thereupon, by virtue of former acts of parliament made in that behalf.

3d. additional on all containing 15, 16, 17, 18, or 19, and not more.

And for every window, or light, in every dwelling-houſe as aforeſaid, which ſhall contain fifteen, ſixteen, ſeventeen, eighteen, or nineteen windows, or lights, and no more, the yearly ſum of three pence for each window, or light, in ſuch houſe; over and above, and by way of addition to, the ſeveral and reſpective duties chargeable thereupon, by virtue of former acts of parliament made in that behalf.

Duties of this act to be raiſed and paid as the like duties, granted by the recited acts of 20, 21, and 31 Geo. II. are directed;

II. And be it enacted by the authority aforeſaid, That the ſaid ſeveral duties by this act impoſed within and throughout the ſaid kingdom of *Great Britain*, for and upon ſuch windows or lights as aforeſaid, ſhall be raiſed, levied, and collected, and paid into his Majeſty's exchequer, for the purpoſes in this act expreſſed, in ſuch and like form and manner, and with ſuch allowances, and under ſuch penalties, forfeitures, and diſabilities, and according to ſuch rules, methods, and directions, as are preſcribed or appointed for raiſing, levying, collecting, and paying the duties on houſes, windows, or lights, in and by the ſaid ſeveral acts of parliament, made in the ſaid twentieth, twenty firſt, and thirty firſt years of his late Majeſty's reign, herein before mentioned; and all and every the powers, authorities, rules, directions, penalties, forfeitures, clauſes, matters, and things, now in force, contained in the ſaid four ſeveral acts of parliament, or any of them, for the raiſing, levying, collecting, and paying the rates and duties thereby granted, ſhall be in full force, and be duly obſerved, practiſed, and put in execution, within and throughout the whole kingdom of *Great Britain*, for raiſing, levying, collecting, and paying the ſeveral rates and duties upon houſes, windows, or lights, by this act granted, as fully and effectually, to all intents and purpoſes, as if the ſame, or the like powers, authorities, rules, directions, penalties, forfeitures, clauſes, matters, and things, were particularly repeated and re-enacted in the body of this preſent

and the powers, &c. in the ſaid acts for thoſe purpoſes extended to this.

preſent act; and that all monies ariſing by the ſaid rates and duties by this act granted, the neceſſary charges of raiſing and accounting for the ſame excepted, ſhall from time to time, be paid into the receipt of his Majeſty's exchequer at *Weſtminſter*, diſtinctly and apart from all other branches of the public revenue, and ſhall be carried to, and made part of, the fund commonly called *The ſinking fund*, towards making good the ſaid annuities or yearly payments, payable in reſpect of the ſaid ſum of twelve millions charged upon the ſaid fund by an act of this ſeſſion of parliament. The monies ariſing by theſe duties to be paid into the exchequer, ſeparate and apart from all other branches of the public revenue; and to be carried into the Sinking Fund.

III. And be it further enacted by the authority aforeſaid, That the commiſſioners authorized for putting in execution the four ſaid former acts, or either of them, for all and every the reſpective counties, ſhires, ſtewartries, ridings, cities, boroughs, cinque ports, towns and places reſpectively, within *Great Britain*, ſhall meet together at the moſt uſual and common place of meeting within ſuch counties, ſhires, ſtewartries, ridings, cities, boroughs, cinque ports, towns and places, reſpectively, within *Great Britain*, on or before the eighteenth day of *April*, one thouſand ſeven hundred and ſixty two, and ſhall then divide themſelves to act in ſeparate diſtricts, and proceed in the execution of this preſent act, for aſſeſſing, raiſing, levying, and collecting the duties hereby granted, in ſuch and the ſame manner, to all intents and purpoſes, as is preſcribed by the four former acts, or either of them, with reſpect to the rates and duties thereby impoſed. Commiſſioners for the former acts to meet on or before 18th April, 1762, and proceed in the execution of this act.

IV. And it is hereby enacted by the authority aforeſaid, That if any perſon or perſons, ſhall at any time or times, be ſued or proſecuted for any thing by him or them done or executed in purſuance of this act, or of any matter or thing in this act contained, ſuch perſon or perſons ſhall and may plead the general iſſue, and give the ſpecial matter in evidence, for his or their defence; and if, upon the trial, a verdict ſhall paſs for the defendant or defendants, or the plaintiff or plaintiffs ſhall become nonſuited; then ſuch defendant or defendants ſhall have treble coſts to him or them awarded againſt ſuch plaintiff or plaintiffs. General iſſue. Treble coſts.

CAP. IX.

An act for charging certain annuities granted in the year one thouſand ſeven hundred and ſixty, on the ſinking fund; and for carrying the duties therein mentioned to the ſaid fund; and for making forth duplicates of exchequer bills, tickets, certificates, receipts, annuity orders, and other orders, loſt, burnt, or otherwiſe deſtroyed.

WHEREAS *in purſuance of an act of parliament made in the thirty third year of the reign of his late Majeſty King* George *the Second, intituled,* "*An act for granting to his* "*Majeſty ſeveral duties upon malt; and for raiſing the ſum of eight* "*millions by way of annuities and a lottery, to be charged on the ſaid* "*duties; and to prevent the fraudulent obtaining of allowances in the* "*gauging* Preamble, reciting act 33 Geo. II.

" *gauging of corn making into malt ; and for making forth dupli-*
" *cates of exchequer bills, tickets, certificates, receipts, annuity orders,*
" *and other orders, loſt, burnt, or otherwiſe deſtroyed ;*" *ſeveral perſons, bodies politic or corporate, have advanced and lent the ſum of eight millions, upon the credit of the ſeveral duties upon malt, by the ſaid act granted, for the purchaſe of annuities transferrable at the bank of* England, *after the rate of four pounds* per centum per annum, *for the certain term of twenty one years, and from the expiration thereof, after the rate of three pounds* per centum per annum, *redeemable by parliament: And whereas an additional capital of three pounds was by the ſaid act directed to be added to every one hundred pounds advanced towards the ſaid ſum of eight millions, amounting to two hundred and forty thouſand pounds, to be attended with like annuities, after the rate of four pounds* per centum per annum, *and three pounds* per centum per annum *reſpectively: And whereas it is thought neceſſary that the ſaid principal ſum of eight millions, and likewiſe the ſaid additional capital amounting to two hundred and forty thouſand pounds, together with the charges and expences attending the ſame, ſhould be, with the conſent of the proprietors thereof, to be ſignified within the time herein after mentioned, charged upon, and paid out of the fund commonly called* The ſinking fund ; *and that the ſeveral duties upon malt, which by the ſaid act were made a fund for payment of the ſaid four pounds* per centum *annuities, ſhould be carried to, and made part of, the ſaid fund, commonly called* The ſinking fund ; *May it there-therefore pleaſe your moſt excellent Majeſty that it may be enacted ; and* be it enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That from and after the fifth day of *January*, one thouſand ſeven hundred and ſixty two, the ſaid principal ſum of eight millions, borrowed upon credit of the ſaid act, and the ſaid additional capital amounting to two hundred and forty thouſand pounds, carrying an intereſt after the rate of four pounds *per centum per annum*, for the ſaid term of twenty one years, and from the expiration thereof, an intereſt after the rate of three pounds *per centum per annum*, together with the charges and expences attending the ſame, ſhall be charged upon, and paid out of, the fund commonly called *The Sinking fund*, until redemption thereof by parliament ; any thing in the ſaid act made in the thirty third year of the reign of his late Majeſty, to the contrary thereof in any wiſe notwithſtanding.

The principal ſum of 8,000,000 *l.* borrowed on the credit of the recited act ; and the additional capital of 240,000 *l.* directed to be added thereto ; are to be charged upon, and payable out of the ſinking fund.

II. And be it further enacted by the authority aforeſaid, That ſuch proprietors who ſhall not, on or before the twenty firſt day of *June*, one thouſand ſeven hundred and ſixty two, ſignify their diſſent to the charging of their annuities on the ſinking fund, in books to be opened at the bank of *England* for that purpoſe ſhall be deemed and taken to aſſent thereto ; any thing to the contrary thereof in any wiſe notwithſtanding.

Proprietors, who ſhall not ſignify their diſſent by 21 *June* next, in books to be opened at the bank, deemed to aſſent thereto.

III. And be it further enacted by the authority aforeſaid, That all the monies which have ariſen ſince the fifth day of

The monies ariſen by the

January, one thouſand ſeven hundred and ſixty two, or that ſhall or may hereafter ariſe, of the ſeveral duties upon malt, which were made a fund, for payment of four pounds *per centum per annum* at the bank of *England*; and alſo of three pounds *per centum per annum*, in manner above-mentioned, on eight millions borrowed by virtue of the ſaid act, made in the thirty third year of the reign of his ſaid late Majeſty, towards the ſupply of the year one thouſand ſeven hundred and ſixty, and on the additional capital amounting to two hundred and forty thouſand pounds; ſhall be carried to and made part of, the fund commonly called the *Sinking Fund*, and the ſame ſhall be deemed and taken to be part of the ſaid ſinking fund, and ſhall be iſſued and applied to ſuch uſes and purpoſes as the ſeveral exceſſes, ſurpluſſes, or overplus monies, compoſing the ſaid ſinking fund, are or may be iſſued and applied; any thing in the ſaid act of the thirty third year of the reign of his ſaid late Majeſty, to the contrary thereof in any wiſe notwithſtanding.

ſaid duties ſince 5 *Jan.* laſt, or that ſhall hereafter ariſe thereby, to be carried into, and made part of, the ſinking fund; and to be iſſued accordingly.

IV. *And whereas ſeveral bills commonly called* Exchequer Bills, *ſeveral tickets commonly called* Lottery Tickets, *ſeveral orders and certificates made forth in lieu of the ſaid lottery tickets, and likewiſe for annuities of divers kinds, payable at or near the receipt of his Majeſty's exchequer, as alſo ſeveral receipts of the caſhiers of the governor and company of the bank of* England, *or ſome of them, for monies contributed there for the purchaſe of annuities transferrable in the books of the ſaid governor and company, or for other monies payable there in purſuance of acts of parliament, have, by caſualty or miſchance, been loſt, burnt, or otherwiſe deſtroyed; which exchequer bills, lottery tickets, certificates, receipts, annuity orders, and other orders of the reſpective denominations aforeſaid, were made forth by and in purſuance of ſeveral acts of parliament in that behalf*; be it therefore enacted by the authority aforeſaid, That in all caſes where it ſhall appear, by affidavit, to be made before any or either of the barons of the exchequer for the time being (who ſhall interrogate the deponent thereupon) to the ſatisfaction of ſuch baron or barons, that any ſuch exchequer bills, or any ſuch tickets, certificates, receipts, annuity orders, or other orders as aforeſaid, before the firſt day of *June*, one thouſand ſeven hundred and ſixty two have been, are, or ſhall be, loſt, burnt, or otherwiſe deſtroyed, or that there be good reaſon to believe the ſame have been burnt, loſt, or otherwiſe deſtroyed, it ſhall and may be lawful for the reſpective officers and perſons appointed to iſſue or make forth ſuch exchequer bills, tickets, certificates, receipts, annuity orders, or other orders, or to pay or diſcharge the ſame, or to iſſue any monies due or payable thereupon, upon producing a certificate from any or either of the ſaid barons, of ſuch affidavit made before him or them (which affidavit the ſaid barons, or any or either of them, is and are hereby authoriſed to take; and which certificate he or they is or are hereby required to make and grant without fee or reward) and on ſecurity given to the ſaid reſpective officers and perſons to their good liking, to indemnify them reſpectively againſt all other perſons whatſoever, for or concerning the monies ſpecified in,

Clauſe of relief for exchequer-bills lottery-tickets, certificates, annuity-orders, &c. loſt, burnt, or otherwiſe deſtroyed.

or due upon, ſuch reſpective bill or bills, ticket or tickets, certificate or certificates, receipt or receipts, order or orders, they the ſaid perſons reſpectively ſhall, and are hereby required, to make forth duplicates of the ſaid bills, tickets, certificates, receipts and orders, at the requeſt of the reſpective owners, and to pay, ſatisfy, and diſcharge the ſame, and all ſuch intereſt as is or ſhall be due on any of them carrying intereſt, or to make forth ſtock or transferrable annuities in lieu of ſuch receipts, as he or they ſhould have paid, ſatisfied, or diſcharged, or made forth on the ſaid original bills, tickets, certificates, receipts, annuity orders, or other orders, if the ſame had been produced, and ſhall be allowed all ſuch payments, ſum or ſums of money, in their reſpective accounts; and in all caſes where the ſigning of the commiſſioners of his Majeſty's treaſury, or the lord high treaſurer of *Great Britain* for the time being, ſhall be neceſſary for making the ſaid duplicates, or any of them, effectual for the purpoſes aforeſaid, it ſhall and may be lawful to and for the ſaid commiſſioners of his Majeſty's treaſury, or any three or more of them, or the lord high treaſurer for the time being, to ſign ſuch duplicates accordingly.

CAP. X.

An act for raiſing by annuities, in manner therein mentioned, the ſum of twelve millions, to be charged on the ſinking fund; and for applying the ſurplus of certain duties on ſpirituous liquors, and alſo the monies ariſing from the duties on ſpirituous liquors, granted by an act of this ſeſſion of parliament.

Moſt Gracious Sovereign,

Preamble.

WE, *your Majeſty's moſt dutiful and loyal ſubjects, the commons of* Great Britain *in parliament aſſembled, towards raiſing the neceſſary ſupplies to defray your Majeſty's publick expences, have freely reſolved to give and grant unto your Majeſty the ſum of twelve millions, to be raiſed by annuities, in ſuch manner and form as is herein after directed; and do therefore moſt humbly beſeech your Majeſty, that it may be enacted; and* be it enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That for or towards raiſing the ſaid ſum of twelve millions, it ſhall and may be lawful to and for the ſeveral perſons natives or foreigners, and bodies politic or corporate, who in purſuance of the reſolution of the commons of *Great Britain* in parliament aſſembled, have, in books opened at the bank of *England* for that purpoſe, ſubſcribed and agreed to contribute to the payment of the ſaid ſum of twelve millions, and who have, in purſuance of the ſaid reſolution, depoſited with, or paid to, the caſhier or caſhiers of the governor and company of the bank of *England* for the time being, the ſum of fifteen pounds *per centum*, in part of the ſums by them ſubſcribed reſpectively, to advance and

The ſum of 12,000,000 *l.* granted to be raiſed by annuities.

Natives or foreigners, who, in purſuance of a reſolution of the commons, have ſubſcribed towards the ſaid ſum,

and have depoſited 15*l.* *per cent.* in part of their ſubſcriptions,

and pay unto the ſaid caſhier or caſhiers, who is and are hereby appointed the receiver or receivers of ſuch contributions (without any further or other warrant to be ſued for, had, or obtained, in that behalf) the remainder of the ſeveral ſums ſo ſubſcribed, at or before the reſpective days or times, and in the proportions, in this act limited in that behalf.

may pay the remainder, at the days, and in the proportions following:

II. And whereas it is intended that every contributor to the ſaid twelve millions ſhall, for every one hundred pounds contributed, be intituled to an annuity, transferrable at the bank of *England*, after the rate of four pounds *per centum per annum*, for nineteen years, and then to ſtand reduced to three pounds *per centum per annum*, redeemable by parliament; and alſo to an annuity, transferrable at the bank of *England*, of one pound *per centum per annum*, to continue irredeemable for a certain term of ninety eight years, and then to ceaſe; and that every ſuch contributor ſhall, for every ſum of eighty poun s *per centum* paid into the caſhiers of the bank of *England*, upon account of his ſhare in the ſaid annuities, after the rate of four pounds *per centum per annum*, be intituled to one hundred pounds capital in the ſaid ſtock of four pounds *per centum* annuities; and for every ſum of twenty pounds paid in like manner, upon account of his ſhare in the ſaid annuities of one pound *per centum*, ſhall be intitled to an annuity of one pound, to continue for a certain term of ninety eight years, in manner above mentioned, be it enacted by the authority aforeſaid, That all ſuch contributors who have ſo made ſuch depoſit of fifteen pounds *per centum*, in part of the ſums by them ſeverally ſubſcribed, as a ſecurity for their making their future payments, ſhall make the ſame accordingly, at or before the reſpective times or days, and in the proportions, herein after limited and appointed on that behalf; that is to ſay, in reſpect of their proportionable ſhare of the ſum of nine millions ſix hundred thouſand pounds, to be attended with the ſaid four pounds *per centum* annuities for nineteen years, and afterwards to be reduced to three pounds *per centum* annuities as aforeſaid, the further ſum of ten pounds *per centum*, being part of the ſaid ſum ſo remaining, on or before the tenth day of *February*, one thouſand ſeven hundred and ſixty two; the further ſum of ten pounds *per centum*, other part thereof, on or before the twenty third of *March* then next following; the further ſum of ten pounds *per centum*, other part thereof, on or before the twenty firſt day of *April* then next following; the further ſum of ten pounds *per centum*, other part thereof, on or before the twenty ſixth day of *May* then next following; the further ſum of ten pounds *per centum*, other part thereof, on or before the twenty third day of *June* then next following; the further ſum fifteen pounds *per centum*, other part thereof, on or before the eighteeth day of *Auguſt* then next following; the further ſum of ten pounds *per centum*, other part thereof, on or before the ſeventeenth day of *September* then next following; and the remaining ſum of ten pounds *per centum*, on or before the twentieth

viz. in reſpect of th ſum of 9,600,000*l.* the further ſum of 10*l.* by 10 *Feb.* 10*l.* by 23 *March*, 10*l* by 21 *April*, 10*l.* by 26 *May*, 10*l.* by 23 *June*, 15*l.* by 18 *Auguſt*, 10*l.* by 17 *September*, and the remaining 10*l.* by 20 *Oct.*

And in reſpect of the ſum of 2,400,000*l.* the further ſum of 25*l.* by 10 *March*,

tieth day of *October* then next following: And in reſpect of their proportionable ſhare of the ſum of two millions four hundred thouſand pounds, to be attended with the annuity of one pound *per centum* for ninety eight years, the further ſum of twenty five pounds *per centum*, being part of the ſum ſo remaining, on or before the tenth day of *March*, one thouſand ſeven hundred and ſixty two; the further ſum of thirty pounds *per centum*, other part thereof, on or before the twelfth day of *May* then next following; and the remaining ſum of thirty pounds *per centum*, on or before the twenty firſt day of *July* then next following.

30*l.* by 12 *May*,

30*l.* by 21 *July*.

Subſcribers, for every 80*l.* advanced towards the ſaid ſum of 9,600,000*l.* are intitled to 100*l.* capital, and an annuity thereupon of 4*l. per cent.* for 19 years; and after the expiration of that term, to 3*l. per cent.* to commence on 5 *Jan* 1762

III. And be it further enacted by the authority aforeſaid, That the ſeveral ſubſcribers or contributors, their executors, adminiſtrators, ſucceſſors, and aſſigns, ſhall be intituled for and upon every ſum of eighty pounds by them reſpectively advanced and paid towards the ſaid ſum of nine millions ſix hundred thouſand pounds, to one hundred pounds capital ſtock at the bank of *England*, and to an annuity after the rate of four pounds *per centum per annum*, during the term of nineteen years; and after the expiration thereof, to an annuity of three pounds *per centum per annum*, and no more, for and upon every one hundred pounds of ſuch capital ſtock; which ſaid annuity of four pounds *per centum per annum*, ſha l commence and be computed from the fifth day of *January*, one thouſand ſeven hundred and ſixty two; and from and immediately after the expiration of the ſaid term of nineteen years, there ſhall be paid, inſtead and in lieu of ſuch annuity, an annuity of three pounds *per centum per annum*, and no more: And that the ſaid ſeveral ſubſcribers or contributors, their executors, adminiſtrators, ſucceſſors, and aſſigns, ſhall alſo be intituled, for and upon every ſum of twenty pounds by them reſpectively advanced and paid towards the ſaid ſum of two millions four hundred thouſand pounds, to an annuity after the rate of one pound for a certain term of ninety eight years; which ſaid annuity of one pound ſhall commence and be computed from the fifth day of *January*, one thouſand ſeven hundred and ſixty two; and the ſaid reſpective annuities ſhall be paid by half-yearly payments, in even and equal portions, on the fifth day of *July*, and the fifth day of *January*, in each year.

And for every 20*l.* advanced towards the ſaid ſum of 2,400,000*l.* are intitled to an annuity of 1*l.* for 98 years to commence on 5 *Jan.* 1762. Annuities to be paid half-yearly, *viz.* on 5 *July*, and 5 *Jan.*

IV. And be it further enacted by the authority aforeſaid, That all ſuch ſubſcribers or contributors, their executors, adminiſtrators, ſucceſſors, and aſſigns reſpectively, paying in the whole of the ſums by them reſpectively ſubſcribed towards the ſaid ſum of nine millions ſix hundred thouſand pounds, on or before the eighteenth day of *September*, one thouſand ſeven hundred and ſixty two; or paying in the whole of the ſums by them reſpectively ſubſcribed towards the ſaid ſum of two millions four hundred thouſand pounds, on or before the thirteenth day of *May*, one thouſand ſeven hundred and ſixty two; ſhall be intituled to an allowance of ſo much money as the intereſt of the ſum ſo compleating their contribution, on or before

Subſcribers paying in the whole of their ſubſcriptions towards the ſaid ſum of 9,600,000*l.* by 18 *Sept.* and towards the ſaid ſum of 2,400 000*l.* by 13 May 1762,

before the ſaid eighteenth day of *September*, or the ſaid thirteenth day of *May*, reſpectively, after the rate of three pounds *per centum per annum*, ſhall amount unto, from the day of compleating ſuch contribution to the twentieth day of *October* then next following, in reſpect of the monies paid towards the ſaid ſum of nine millions ſix hundred thouſand pounds; and unto the twenty firſt day of *July* then next following, in reſpect of the monies paid towards the ſaid ſum of two millions four hundred thouſand pounds; ſuch allowances reſpectively to be paid by the ſaid caſhier or caſhiers out of the monies contributed towards the ſaid ſum of twelve millions, as ſoon as ſuch reſpective ſubſcribers or contributors, their executors, adminiſtrators, ſucceſſors, and aſſigns, ſhall have compleated ſuch payments.

are intitled to an intereſt of 3*l. per cent.* from the times of compleating their payments to 20 *Oct.* in reſpect of the ſaid ſum of 9,600,000*l.* and to 21 *July*, in reſpect of the ſaid ſum of 2,400,000*l.*

V. And be it further enacted, That all the annuities aforeſaid ſhall be transferrable at the bank of *England*.

Annuities transferrable at the bank.

VI. And be it further enacted by the authority aforeſaid, That the caſhier or caſhiers of the governor and company of the bank of *England*, who ſhall have received, or ſhall receive, any part of the ſaid contributions towards the ſaid ſum of twelve millions, ſhall give a receipt or receipts in writing to every ſuch contributor for all ſuch ſums; and that the receipts to be given ſhall be aſſignable by indorſement thereupon made, at any time before the fifth day of *December*, one thouſand ſeven hundred and ſixty two, and no longer.

Caſhiers to give receipts for the ſums paid in; the ſame made aſſignable before 5 *Dec.* 1762.

VII. Provided always, That ſuch caſhier or caſhiers ſhall give ſecurity to the good liking of any three or more of the commiſſioners of the treaſury, or the high treaſurer for the time being, for duly anſwering and paying into the receipt of his Majeſty's exchequer, for the public uſe, all the monies which they have already received, and ſhall hereafter receive, from time to time, of and for the ſaid ſum of twelve millions, and for accounting duly for the ſame, and for performance of the truſt hereby in them repoſed; and ſhall, from time to time, pay all ſuch monies as ſoon as he or they ſhall receive the ſame, or any part thereof, or within five days afterwards at the fartheſt, and ſhall account for the ſame in the exchequer, according to the due courſe thereof, deducting ſuch ſums as ſhall have been paid by him or them in purſuance of this act; for which ſums ſo paid allowance ſhall be made in his or their accounts.

Caſhiers to give ſecurity

monies to be paid over by them into the exchequer.

VIII. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful for three or more of the commiſſioners of the treaſury, or the high treaſurer for the time being, to iſſue and apply, from time to time, all ſuch ſums of money as ſhall be ſo paid into the receipt of his Majeſty's exchequer, by the ſaid caſhier or caſhiers, to ſuch ſervices as ſhall then have been voted by the commons of *Great Britain* in this preſent ſeſſion of parliament.

The monies to be applied by the treaſury to the ſervices voted by parliament.

IX. And be it further enacted by the authority aforeſaid, That in the office of the accomptant general of the governor and company of the bank of *England* for the time being, a book or books

Books to be provided at the bank for entering con-

tributors names; to be inſpected *gratis*.

books ſhall be provided and kept, in which the names of the contributors ſhall be fairly entered; which book or books the ſaid reſpective contributors, their reſpective executors, adminiſtrators, ſucceſſors, and aſſigns, ſhall and may, from time to time, and at all ſeaſonable times, reſort to, and inſpect without any fee or charge; and that the ſaid accomptant general ſhall, on or before the fifth day of *July*, one thouſand ſeven hundred and ſixty four, tranſmit an atteſted duplicate fairly written on paper of the ſaid book or books, into the office of the auditor of the receipt of his Majeſty's exchequer, there to remain for ever.

Duplicate thereof to be tranſmitted into the auditor's office of the exchequer.

Contributors duly paying their ſubſcriptions, are intitled to a proportional ſhare of the annuities;

X. And be it further enacted by the authority aforeſaid, That ſuch contributors duly paying the whole ſum or ſums ſubſcribed, at or before the reſpective times in this act limited in that behalf, and their reſpective executors, adminiſtrators, ſucceſſors, and aſſigns, ſhall have, receive, and enjoy, and be intituled, by virtue of this act, to have, receive, and enjoy, their proportionable ſhare of the annuities by this act granted, in reſpect of the ſums ſo ſubſcribed, out of the monies appropriated by this act for payment thereof; and ſhall have good and ſure intereſts and eſtates therein; ſubject nevertheleſs to redemption as is herein aftermentioned, concerning the ſaid annuities of three pounds *per centum*, according to the ſeveral proviſions in this act contained; and that all the annuities by this act granted, ſhall be free from all taxes, charges, and impoſitions whatſoever.

but not making good their payments within the times limited, they forfeit what they ſhall have paid in.

XI. Provided always, That in caſe any ſuch contributors who have already depoſited with, or ſhall hereafter pay to the ſaid caſhier or caſhiers any ſum or ſums of money, at the times and in the manner before-mentioned, in part of the ſum or ſums ſo by them reſpectively ſubſcribed; or the reſpective executors, adminiſtrators, ſucceſſors, or aſſigns, ſhall not advance and pay to the ſaid caſhier or caſhiers, the reſidue of the ſum or ſums ſo ſubſcribed, at the times and in the manner before-mentioned; then, and in every ſuch caſe, ſo much of the reſpective ſum or ſums ſo ſubſcribed as ſhall have been actually paid in part thereof, to the ſaid caſhier or caſhiers, ſhall be forfeited for the benefit of the public, and all right and title to any annuity whatſoever in reſpect thereof ſhall be extinguiſhed; any thing in this act contained to the contrary thereof in any wiſe notwithſtanding.

Contributors compleating their payments, are to have credit in the books of the bank for the money ſo paid,

which may be transferred,

XII. And be it further enacted by the authority aforeſaid, That as ſoon as any contributors, their executors, adminiſtrators, ſucceſſors, or aſſigns, ſhall have compleated their payments of the whole ſum payable by them reſpectively, towards the ſaid ſum of nine millions ſix hundred thouſand pounds, and two millions four hundred thouſand pounds, reſpectively; the principal ſum or ſums ſo by them ſubſcribed and paid reſpectively, ſhall forthwith be, in the books of the bank of *England*, placed to the credit of ſuch reſpective contributors, their executors, adminiſtrators, ſucceſſors, and aſſigns, compleating ſuch payments reſpectively; and the perſons to whoſe credit ſuch principal

principal ſums ſhall be ſo placed, their reſpective executors, adminiſtrators, ſucceſſors, or aſſigns, ſhall and may have power to aſſign and transfer the ſame, or any part, ſhare, or proportion thereof, to any other perſon or perſons, body or bodies politic or corporate whatſoever, in the books of the bank of *England*; and ſuch ſums ſhall carry the reſpective annuities herein before-mentioned, and ſhall be taken and deemed to be ſtock transferrable, according to the true intent and meaning of this act.

and made ſtock of.

XIII. And be it further enacted by the authority aforeſaid, That the ſeveral annuities which by this act are granted and made payable, in reſpect of the ſum of twelve millions, until redemption thereof by parliament, in manner herein mentioned, ſhall be charged and chargeable upon, and payable out of, the monies which ſhall from time to time ariſe, and be remaining in the receipt of his Majeſty's exchequer, of or for the ſurpluſſes, exceſſes, overplus monies, and other revenues compoſing the fund commonly called *The ſinking fund*; and the ſaid ſurpluſſes, exceſſes, overplus monies, and other revenues, are hereby appropriated for that purpoſe accordingly.

Annuities charged on the ſinking fund.

XIV. *And, for the more eaſy and ſure payment of all the annuities eſtabliſhed by this act*, be it further enacted by the authority aforeſaid, That the ſaid governor and company of the bank of *England*, and their ſucceſſors, ſhall, from time to time, during the continuance of the ſaid annuities, after the rate of four pounds for every one hundred pounds, capital ſtock, and until the ſaid annuities, after the rate of three pounds for every ſuch one hundred pounds capital ſtock, ſhall be redeemed, and until the ſaid annuities for the certain term of ninety eight years ſhall be determined, appoint and employ one or more ſufficient perſon or perſons within their office in the city of *London*, to be their chief or firſt caſhier or caſhiers, and one other ſufficient perſon within the ſame office, to be their accomptant general; and that ſo much of the monies by this act appropriated for this purpoſe, as ſhall be ſufficient, from time to time, to anſwer the ſaid ſeveral and reſpective annuities, and other payments herein directed to be made out of the ſaid monies, ſhall, by order of the commiſſioners of the treaſury, or any three or more of them, or the high treaſurer for the time being, without any further or other warrant to be ſued for, had, and obtained, in that behalf, from time to time, at the reſpective days of payment in this act appointed for payment thereof, be iſſued and paid at the ſaid receipt of exchequer, to the ſaid firſt or chief caſhier or caſhiers of the ſaid governor and company of the bank of *England*, and their ſucceſſors, for the time being, by way of impreſt, and upon account, for the payment of the ſaid ſeveral and reſpective annuities, payable by virtue of this act; and that ſuch caſhier or caſhiers, to whom the ſaid money ſhall from time to time be iſſued, ſhall, from time to time, without delay, pay the ſame accordingly, and render his or their accounts thereof according to the due courſe of the exchequer.

Bank to employ a chief caſhier, and accomptant-general, for the purpoſes of this act.

Treaſury to iſſue monies upon account, for payment of the annuities to the ſaid caſhier;

who is to pay the ſame accordingly, and account with the exchequer.

XV. And be it further enacted by the authority aforeſaid, That

Accomptant-general to examine all receipts and payments of the caſhier, with the vouchers. Annuities deemed a perſonal eſtate.

That the ſaid accomptant general for the time being ſhall, from time to time, inſpect and examine all receipts and payments of the ſaid caſhier or caſhiers, and the vouchers relating thereto, in order to prevent any fraud, negligence, or delay; and that all perſons who ſhall be intituled to any of the annuities hereby granted, and all perſons lawfully claiming under them, ſhall be poſſeſſed thereof as of a perſonal eſtate, which ſhall not be deſcendible to heirs, nor liable to any foreign attachment by the cuſtom of *London*, or otherwiſe; any law, ſtatute, or cuſtom, to the contrary notwithſtanding.

Annuities, with reſpect to the ſaid ſum of 9,600,000*l.* are made one joint ſtock, transferrable at the bank, with thoſe granted by the act of 33 *Geo.* II. &c.

XVI. And be it further enacted by the authority aforeſaid, That all the monies to which any perſon or perſons ſhall become intituled by virtue of this act, in reſpect of any ſum advanced or contributed towards the ſaid ſum of nine millions ſix hundred thouſand pounds, on which the ſaid annuities of four pounds, or of three pounds *per cent. per Annum* ſhall be attending, ſhall be added to, and made one joint ſtock of transferrable annuities at the bank of *England*, with the annuities granted by an act made in the thirty third year of the reign of his late Majeſty King *George* the Second; and which by an act made in this preſent ſeſſion of parliament, intituled, *An act for charging certain annuities granted in the year one thouſand ſeven hundred and ſixty, on the ſinking fund; and for carrying the duties therein mentioned to the ſaid fund; and for making forth duplicates of exchequer bills, tickets, certificates, receipts, annuity orders, and other orders, loſt, burnt, or otherwiſe deſtroyed*; are charged upon and made payable out of the ſinking fund; and alſo with ſuch other four pounds *per centum* annuities transferrable at the bank of *England*, as ſhall, by any other act of this preſent ſeſſion of parliament, be charged upon, and made payable out of, the ſinking fund; ſubject nevertheleſs to redemption by parliament, in ſuch manner, and upon ſuch notice, as in the ſaid act made in the thirty third year of his late Majeſty's reign is directed, with reſpect to the redemption of the annuities thereby granted; and that all and every perſon and perſons, and corporations whatſoever, in proportion to the money to which he, ſhe, or they, ſhall become intituled as aforeſaid, by virtue of this act, ſhall have, and be deemed to have, a proportional intereſt and ſhare in the ſaid joint ſtock of annuities.

ſubject to redemption by parliament.

Books to be kept at the accomptant-general's office for entering all aſſignments and transfers. Method of transferring.

XVII. And be it further enacted by the authority aforeſaid, That books ſhall be conſtantly kept by the ſaid accomptant general for the time being, wherein all aſſignments or transfers of all ſums advanced or contributed towards the ſaid ſum of nine millions ſix hundred thouſand pounds, and two millions four hundred thouſand pounds reſpectively, ſhall, at all ſeaſonable times, be entered and regiſtered; which entry ſhall be conceived in proper words for that purpoſe, and ſhall be ſigned by the parties making ſuch aſſignments or transfers; or if ſuch parties be abſent, by their reſpective attorney or attornies thereunto lawfully authorized, in writing, under his or their hand and ſeal, or hands and ſeals, to be atteſted by two or more credible witneſſes;

neſſes; and that the ſeveral perſons to whom ſuch transfers ſhall be made, ſhall reſpectively underwrite their acceptance thereof; and that no other method of aſſigning and transferring the ſaid annuities, or any part thereof, or any intereſt therein, ſhall be good or available in law.

Shares or intereſt in either of the ſaid ſtocks may be deviſed by will.

XVIII. Provided alſo, That all perſons poſſeſſed of any ſhare or intereſt in either of the ſaid ſtocks of annuities, or any eſtate or intereſt therein, may deviſe the ſame by will, in writing, atteſted by two or more credible witneſſes; but that no payment ſhall be made upon any ſuch deviſe, till ſo much of the ſaid will as relates to ſuch ſhare, eſtate, or intereſt, in the ſaid ſtocks of annuities, be entered in the ſaid office; and that, in default of ſuch transfer or deviſe, ſuch ſhare, eſtate, or intereſt, in the ſaid ſtocks of annuities, ſhall go to the executors, adminiſtrators, ſucceſſors, and aſſigns; and that no ſtamp duties whatſoever ſhall be charged on any of the ſaid transfers; any law or ſtatute to the contrary notwithſtanding.

In default of ſuch transfer or deviſe, executors, &c. intitled thereto.

Transfers to be without ſtamps.

Treaſury impowered to diſcharge all incident charges attending the execution of this act; and to ſettle the allowances for the caſhiers, and other officers, and accomptant-general; the ſame to be at the diſpoſal, &c. of the governor and company of the bank.

XIX. provided always, and be it enacted by the authority aforeſaid, That out of the monies ariſing from the contributions towards raiſing the ſaid ſum of twelve millions, any three or more of the commiſſioners of the treaſury, or the high treaſurer for the time being, ſhall have power to diſcharge all ſuch incident charges as ſhall neceſſarily attend the execution of this act, in ſuch manner as to them ſhall ſeem juſt and reaſonable; and alſo to ſettle and appoint ſuch allowances as ſhall be thought proper, for the ſervice, pains, and labour, of the ſaid caſhier or caſhiers, for receiving, paying, and accounting for, the ſaid contributions; and alſo ſhall have power to make, out of the ſinking fund, ſuch further allowances as ſhall be judged reaſonable, for the ſervice, pains, and labour, of the ſaid caſhier or caſhiers for receiving, paying, and accounting for, the ſaid annuities, payable by virtue of this act; and alſo for the ſervice, pains, and labour, of the ſaid accomptant general, for performing the truſt repoſed in him by this act; all which allowances to be made as aforeſaid, in reſpect to the ſervice, pains, and labour, of any officer or officers of the ſaid governor and company, ſhall be for the uſe and benefit of the ſaid governor and company, and at their diſpoſal only.

Bank to continue a corporation, notwithſtanding a redemption of their own funds, till the ſaid annuities ſhall be redeemed and determined.

XX. Provided always, and be it further enacted by the authority aforeſaid, That the ſaid governor and company of the bank of *England*, and their ſucceſſors, notwithſtanding the redemption of all or any of their own funds, in purſuance of the acts for eſtabliſhing the ſame, or any of them, ſhall continue a corporation for the purpoſes of this act, till all the annuities payable in reſpect of the ſaid ſum of nine millons ſix hundred thouſand pounds, ſhall be redeemed by parliament as aforeſaid, and until the ſaid annuities attending the ſaid ſum of two millions four hundred thouſand pounds, for the ſaid term of ninety eight years, ſhall be determined; and that the ſaid governor and company of the bank of *England*, or any member

member thereof, ſhall not incur any diſability, for or by reaſon of their doing any matter or thing in purſuance of this act.

No fee to be taken or demanded for receiving or paying the contribution-monies; or paying, &c. the ſeveral annuities, &c. on penalty of 20*l.* and full coſts of ſuit.

XXI. And be it further enacted, That no fee, reward, or gratuity whatſoever, ſhall be demanded or taken of any of his Majeſty's ſubjects, for receiving or paying the ſaid contribution-monies, or any of them, or for any tallies or receipts concerning the ſame, or for iſſuing the monies for paying the ſaid ſeveral annuities, or any of them, or for any transfer of any ſum great or ſmall to be made in purſuance of this act; upon pain that any offender, or perſon offending, by taking or demanding any ſuch fee or reward, or gratuity, ſhall forfeit the ſum of twenty pounds to the party aggrieved, with full coſts of ſuit; to be recovered by action of debt, bill, plaint, or information, in any of his Majeſty's courts of record at *Weſtminſter*, wherein no eſſoin, protection, privilege, or wager of law, injunction, or order of reſtraint, or any more than one imparlance ſhall be granted or allowed.

Recital of clauſe in act 16 *Geo.* II. concerning ſpirituous liquors; &c.

Lottery act of 16 *Geo.* II.

XXII. And whereas by an act made in the ſixteenth year of the reign of his late Majeſty King *George* the Second, intituled, "*An act for repealing certain duties upon ſpirituous liquors, and on licences for retailing the ſame, and for laying other duties on ſpirituous liquors, and on licences to retail the ſaid liquors*;" certain rates and duties were laid upon ſpirituous liquors: And whereas by another act made in the ſame ſeſſion of parliament, intituled, "*An act for raiſing, by annuities and a lottery in manner therein mentioned, the ſum of one million eight hundred thouſand pounds,* at *three pounds* per centum per annum, *for the ſervice of the year one thouſand ſeven hundred and forty three,*" *the ſaid rates and duties upon ſpirituous liquors were charged with, and made ſubject and liable to, the payment of the annuities, after the rate of three pounds* per centum per annum, *transferrable at the bank of* England, *which by the ſaid act were granted, in reſpect of the principal ſum of one million eight hundred thouſand pounds, advanced upon the credit of the ſaid rates and duties; and the ſurplus or remainder of the monies ariſing by the ſaid rates and duties, after ſatisfying, or reſerving money ſufficient to ſatisfy, the ſaid ſeveral and reſpective annuities, and all arrears thereof, was by the ſaid act reſerved for the diſpoſition of parliament:* And whereas by an act made in the ſeventeenth year of his ſaid late Majeſty's reign, intituled, "*An act for granting to his Majeſty the ſurplus or remainder of the monies ariſen, or to ariſe by the duties on ſpirituous liquors, granted by an act of the laſt ſeſſion of parliament, and for explaining and amending the ſaid act in relation to the retailers of ſuch liquors; and for eſtabliſhing an agreement with the united company of merchants of* England *trading to the* Eaſt Indies;" *the ſaid ſurplus or remainder was charged with, and made ſubject and liable to the payment of an annuity or yearly ſum of thirty thouſand pounds to the united company of merchants of* England *trading to the* Eaſt Indies, *in manner therein mentioned:* And whereas by another act made in the ſame ſeſſion of parliament, intituled, "*An*

Spirituous liquors of 17 *Geo.* II.

Lottery act of 17 *Geo.* II.

" *An act for raiſing by annuities and a lottery, in manner therein* " *mentioned, the ſum of one million eight hundred thouſand pounds,* " *at three pounds* per centum per annum, *for the ſervice of the* " *year one thouſand ſeven hundred and forty four,*" *the ſaid ſurplus or remainder, after paying or reſerving ſufficient to pay to the united company of merchants of* England *trading to the* Eaſt Indies, *the ſaid annuity or yearly payment of thirty thouſand pounds, was charged with, and made ſubject and liable to, the payment of the annuities transferrable at the bank of* England, *which by the ſaid act were granted, in reſpect of the principal ſum of one million eight hundred thouſand pounds, advanced upon the credit of the ſaid ſurplus or remainder; and the ſurplus or remainder of the monies ariſing by or the ſaid rates and duties, after ſatisfying, or reſerving money ſufficient to ſatisfy all the ſaid ſeveral and reſpective annuities, and all arrears thereof, was by the ſaid laſt-mentioned act reſerved for the diſpoſition of parliament:* And whereas by an act made in the nineteenth year of his ſaid late Majeſty's reign, intituled, " *An act for granting to his Majeſty ſeveral rates and duties* " *upon glaſs, and upon ſpirituous liquors; and for raiſing a certain* " *ſum of money by annuities, and a lottery, to be charged on the ſaid* " *rates and duties; and for obviating ſome doubts about making out* " *orders at the exchequer for the monies advanced upon the credit of* " *the ſalt duties, granted and continued to his Majeſty by an act of the* " *laſt ſeſſion of parliament;*" *certain rates and duties were laid upon glaſs and upon ſpirituous liquors, and the ſaid rates and duties were by the ſaid act charged with, and made ſubject and liable to, the payment of the annuities transferrable at the bank of* England, *which by the ſaid act were granted in reſpect of the principal ſum of three millions, advanced upon the credit of the ſaid rates and duties; and were alſo charged with, and made ſubject and liable to, the payment of the yearly ſum of forty five thouſand pounds, for anſwering and paying the annuities for lives, payable at the exchequer, granted by the ſaid act; and the ſurplus or remainder of the monies ariſing by the ſaid rates and duties, after ſatisfying or reſerving money ſufficient to ſatisfy all the ſaid ſeveral and reſpective annuities, was by the ſaid act reſerved for the diſpoſition of parliament:* and whereas by an act made in the twenty fourth year of his ſaid late Majeſty's reign, intituled, " *An act for granting to his Majeſty an additional duty upon ſpirituous* " *liquors, and upon licences for retailing the ſame; and for repealing* " *the act of the twentieth year of his preſent Majeſty's reign, intituled, An act for granting a duty to his Majeſty to be paid by diſtillers upon licences to be taken out by them for retailing ſpirituous liquors; and for the more effectually reſtraining the retailing of* " *diſtilled ſpirituous liquors; and for allowing a drawback upon the* " *exportation of* Britiſh *made ſpirits; and that the pariſh of Saint* " Mary le Bon, *in the county of* Middleſex, *ſhall be under the* " *inſpection of the head office of exciſe;*" *certain additional rates and duties were laid upon ſpirituous liquors, and the ſaid rates and duties were, by the ſaid act, made ſubject and liable to the ſame uſes and purpoſes as the then ſubſiſting duties on ſpirituous liquors were at that time liable and appropriated unto:* and whereas by an act

Glaſs and ſpirituous liquors of 19 *Geo.* II.

Spirituous liquors of 1 24 *Geo.* II.;

Annuity act of 25 Geo. II.; act made in the twenty fifth year of his ſaid late Majeſty's reign, intituled, "*An act for converting the ſeveral annuities therein "mentioned, into ſeveral joint ſtocks of annuities, transferrable at "the bank of* England, *to be charged on the ſinking fund; and "alſo for conſolidating the ſeveral other annuities, therein men- "tioned, into ſeveral joint ſtocks of annuities, transferrable at the "*South ſea houſe;" *all the ſaid ſeveral and reſpective annuities transferrable at the bank of* England, *herein before mentioned to have been charged upon any of the ſeveral rates and duties upon ſpirituous liquors, were, from the time in the ſaid act mentioned, charged upon, and directed to be paid out of, the ſinking fund; and ſuch of the ſaid rates and duties upon ſpirituous liquors as had been granted and appropriated by the ſeveral and reſpective acts, in the ſaid laſt-mentioned act before recited; that is to ſay, by the acts which have been herein before mentioned to have been made in the ſixteenth, ſeventeenth, and nineteenth years of his ſaid late Majeſty's reign, for payment of the ſaid ſeveral and reſpective annuities transferrable at the bank of* England, *as aforeſaid, were directed to be carried to, and made part of, the ſaid ſinking fund, after reſerving ſufficient to pay the annuities for lives at the exchequer, and other charges and incumbrances charged on the ſaid rates and duties: and whereas the rates and duties on ſpirituous liquors granted by the ſaid act of the twenty fourth year of his ſaid late Majeſty's reign, not being by the ſaid act of the twenty fourth year of his ſaid late Majeſty's reign, directed to be carried to, and made part of, the ſinking fund, ſtill remaining ſubject and liable, in common with the former rates and duties on ſpirituous liquors, to the payment of ſuch charges and incumbrances originally charged upon the ſaid rates and duties on ſpirituous liquors, as had not been by virtue of the ſaid act of the twenty fifth year of the reign of his ſaid late Majeſty transferred to the ſinking fund; that is to ſay, to the payment of the annuity of thirty thouſand pounds to the* East India *company; and alſo to the yearly payment of forty five thouſand pounds, for anſwering and paying certain annuities for lives, payable at the exchequer; and the ſurplus of the ſaid rates and duties granted by the act of the twenty fourth year of the reign of his ſaid late Majeſty, ſtill remained, by virtue of the ſeveral acts herein before recited, reſerved for the diſpoſition of parliament:* and whereas by an act of the thirty third year of the reign of his ſaid late Majeſty, intituled, "*An act for preventing "the exceſſive uſe of ſpirituous liquors, by laying additional du- "ties thereon; for ſhortening the prohibition of making low wines "and ſpirits from wheat, barley, malt, or other grain, and from "meal flour, and bran; for encouraging the exportation of* Bri- "tiſh *made ſpirits; and for more effectually ſecuring the duties "payable upon ſpirits; and preventing the fraudulent relanding or "importation thereof,*" certain farther additional rates and duties were laid on ſpirituous liquors, and were, by the ſaid act, directed to be appropriated and applied to the ſame uſes and purpoſes as the then ſubſiſting duties on ſpirituous liquors were, at that time, applicable and appropriated unto; ſo that as well the ſurplus

Spirituous liquors of 33 Geo. II.

plus or remainder of the monies ariſen or to ariſe from the ſaid rates and duties upon ſpirituous liquors granted by the ſaid act of the twenty fourth year of the reign of his ſaid late Majeſty, as from thoſe granted by the ſaid act of the thirty third year of his ſaid late Majeſty, after ſatisfying the ſaid annuities or yearly payments of thirty thouſand pounds, and forty five thouſand pounds, to the payment of which all the duties on ſpirituous liquors, granted by the ſeveral acts herein before mentioned, ſtand in the firſt place liable and appropriated, do, by virtue of the ſaid ſeveral acts, ſtand reſerved for the diſpoſition of parliament: and whereas the annuities payable by virtue of this act in reſpect of the ſum of twelve millions, are hereby charged upon, and directed to be paid out of the ſinking fund; be it therefore enacted by the authority aforeſaid, That from and after the fifth day of *January*, one thouſand ſeven hundred and ſixty two, the ſurplus or remainder of the monies which ſhall, from time to time, ariſe by the ſaid rates and duties upon ſpirituous liquors granted by the ſaid acts of the twenty fourth and thirty third years of his ſaid late Majeſty's reign, after paying or reſerving, from time to time, at the receipt of his Majeſty's exchequer, money ſufficient to ſatisfy and pay the ſaid annuity of thirty thouſand pounds, payable as aforeſaid to the united company of merchants of *England* trading to the *Eaſt Indies*, and alſo the ſaid yearly payment of forty five thouſand pounds for anſwering the ſaid annuities for lives, payable at the exchequer, ſhall be carried to, and made part of, the ſinking fund, towards making good the intereſt or annuities charged by this act on the ſaid fund.

Surplus of the monies ariſing by the duties on ſpirituous liquors, granted by the recited acts of 24 & 33 *Geo.* II. after paying the annuity of 30,000*l.* to the *India* company, and 45,000*l.* for annuities for lives payable at the exchequer, to be carried into the ſinking fund.

XXIII. And be it further enacted by the authority aforeſaid, That the monies which ſhall, from time to time, ariſe and be remaining in the receipt of his Majeſty's exchequer, of the additional rates and duties on ſpirituous liquors, granted to his Majeſty by an act of this preſent ſeſſion of parliament, intituled, *An act for more effectually preventing the exceſſive uſe of ſpirituous liquors for home conſumption, by laying additional duties upon ſpirits made in* Great Britain, *or imported into the ſame*; *and for better regulating and encouraging the exportation of* Britiſh *made ſpirits*; *and for ſecuring the payment of the duties upon ſpirituous liquors*; be alſo carried to, and made part of, the ſinking fund, towards making good the intereſt or annuities charged by this act on the ſaid fund.

Monies ariſing in the exchequer by the additional duties on ſpirituous liquors, granted by an act of this ſeſſion, to be carried into the ſinking fund.

XXIV. And be it further enacted by the authority aforeſaid, That if any perſon or perſons ſhall be ſued, moleſted, or proſecuted for any thing done by virtue or in purſuance of this act, ſuch perſon or perſons ſhall and may plead the general iſſue, and give this act, and the ſpecial matter, in evidence, in his or their defence or defences: And if, afterwards, a verdict ſhall paſs for the defendant or defendants, or the plaintiff or plaintiffs ſhall diſcontinue his or their action or actions, or be nonſuited, or judgment ſhall be given againſt him, her, or them, upon demurrer, or otherwiſe, then ſuch defendant or defendants ſhall have treble coſts awarded to him, her, or them, againſt any ſuch plaintiff or plaintiffs.

General iſſue.

Treble coſts.

CAP. XI.

An act for puniſhing mutiny and deſertion; and for the better payment of the army and their quarters.

Preamble.

WHEREAS *the raiſing and keeping a ſtanding army within this kingdom in time of peace, unleſs it be with conſent of parliament, is againſt law: and whereas his Majeſty is engaged in a juſt and neceſſary war againſt* France *and* Spain: *and whereas it is judged neceſſary by his Majeſty, and this preſent parliament, That a body of forces ſhould be continued for the ſafety of this kingdom, the defence of the poſſeſſions of the crown of* Great Britain, *and the preſervation of the ballance of power in* Europe; *and that the whole number of ſuch forces ſhould conſiſt of ſixty ſeven thouſand ſix hundred and ſeventy ſix, including four thouſand and eight invalids: and whereas no man can be forejudged of life or limb, or ſubjected in time of peace to any kind of puniſhment within this realm, by martial law, or in any other manner than by the judgment of his peers, and according to the known and eſtabliſhed laws of this realm; yet nevertheleſs, it being requiſite for the retaining ſuch forces in their duty, that an exact diſcipline be obſerved, and that ſoldiers who ſhall mutiny, or ſtir up ſedition, or ſhall deſert his Majeſty's ſervice within this realm, or the kingdom of* Ireland, Jerſey, Guernſey, Alderney, *and* Sark, *or the iſlands thereto belonging, be brought to a more exemplary and ſpeedy puniſhment than the uſual forms of the law will allow*; be it therefore enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That from and

Number of forces 67,676, including 4,008 invalids.

After 24 *March* 1762, during the continuance of this act, every officer and private man, who ſhall mutiny or deſert, &c. or liſt in any other regiment, &c. or ſhall be found ſleeping on, or ſhall deſert his poſt, or hold illegal correſpondence with the enemies of his Majeſty, or ſhall ſtrike, or diſobey, his ſuperior officer; ſhall ſuffer death, or ſuch puniſhment as a court-martial ſhall inflict. —— The King may grant commiſſion to hold a court-martial, &c. —— Court-martial may inflict corporal puniſhment for immoralities, &c. —— General court-martial not to conſiſt of leſs than 13; and the preſident to be a field officer, or officer next in ſeniority, not under the degree of a captain. —— May adminiſter an oath to witneſſes. —— Officers to be ſworn. The oaths. —— The judge-advocate to be ſworn. The oath. —— In ſentences of death, nine officers to concur, &c. Hours of trial. —— The party tried, intitled to a copy of the ſentence and proceedings of the court-martial. —— Original proceedings, &c. of courts-martial to be tranſmitted to the judge advocate general in *London*, &c. —— None to be tried a ſecond time for the ſame offence, except in caſe of appeal. —— This act not to exempt ſoldiers from ordinary proceſs. —— Penalty on falſe certificates to excuſe ſoldiers from muſters. —— Penalty on officers making falſe muſters, &c. —— Fictitious names allowed by his Majeſty's order upon the muſter-rolls for the maintenance of officers widows, not to be conſtrued a falſe muſter. —— Muſter-maſter to give notice of muſter to a mayor, &c. Penalty on neglect. Muſter-rolls to be ſigned by the mayor, &c. —— Penalty on perſons offering themſelves to be falſly muſtered. —— Horſes falſly muſtered, to be forfeited, &c. —— Forfeiture how to be levied. —— Officer embezzelling, &c. military ſtores, to be caſhiered, and forfeit 100*l.* and the damage to be made good by ſale of his goods and chattels; for want of diſtreſs the perſon to be committed. Application of the forfeiture. —— Muſter-maſter taking a muſter

muſter, to make oath. The oath. —— Muſter-rolls, though tranſmitted without the oath indorſed to the pay-maſters general, to be good vouchers to the auditor. —— Penalty on agents, &c. detaining officers or ſoldiers pay. Weekly rates. Penalty on agents diſobeying orders. —— Surgeon, &c. within ten miles of *London*, &c. to certify who are ſick; and commanding officers, who are employed in raiſing recruits. —— Penalty on officers muſtering perſons by wrong names. —— Conſtables, &c. to quarter officers and men in inns, alehouſes, &c. but in no diſtillers houſes, or ſhopkeepers, or in any private houſes. Penalty on conſtables, &c. quartering ſoldiers in private houſes, &c. and on officers quartering ſoldiers contrary to this act, &c. Perſons aggrieved by being quartered on, may complain to any juſtices, and be relieved. —— No juſtice having any military office, to be concerned in billeting his ſoldiers. —— Officers and ſoldiers to pay rates for their proviſions. —— What inn-holders may allow men quartered on them inſtead of meat. —— Penalty on officers taking money to excuſe the quartering. —— Dragoons, &c. and their horſes to be billeted in the ſame houſe. —— Manner of changing men and horſes. —— Clauſe relating to a ſoldier's ſettlement for his wife and children. —— Officers, &c. to be quartered in *Scotland*, as the laws in force at the union direct. —— No pay-maſter, &c. to make deductions out of officers or ſoldiers pay. —— Exceptions. —— Treaſury may iſſue out the money due for clothing every two months. Pay-maſters to deduct the off-reckonings. —— Officers to give notice to inn-keepers of ſubſiſtence-money in their hands. Rates of ſubſiſtence to be paid to inn-keepers, &c. for ſoldiers quarters. Penalty on officers not paying ſubſiſtence-money. —— On non-payment of quarters the officer to make up accounts, &c. —— No muſter in *Weſtminſter*, &c. but in the preſence of two or more juſtices. —— Conſtables, &c. may billet ſoldiers in *Weſtminſter*, &c. Petty conſtables, &c. to quarter ſoldiers in their repective diviſions. —— Conſtables, &c. to deliver liſts at quarter-ſeſſions, on oath, of inhabitants, and ſoldiers quartered in their reſpective diviſions; to be inſpected without fee. Copies of ſuch liſts to be wrote by the clerk at 2*d. per* ſheet, containing 150 words. Penalty on default. Penalty on giving defective liſts. How to be levied. —— This act to extend to *Jerſey*, &c. —— Muſter-rolls to be cloſed on day of muſter, and returned to the pay-maſter of the forces, &c. Penalty. —— Juſtices may order conſtables to provide carriages. Rates for carriages. Penalty on officers forcing waggons to travel more than one day's journey, &c. —— Penalty on conſtables, &c. neglect. —— Treaſurers of the county to repay the conſtables extraordinary charges. —— The money for thoſe purpoſes how to be raiſed. —— No waggon, &c. to carry above 30 hundred weight. —— Carriages in *Scotland* how to be provided. —— Soldiers wives, &c. not to be quartered without conſent. Penalty. —— Penalty on officers or ſoldiers deſtroying the game. —— How the account of every regiment ſhall be kept. —— Penalty on pay-maſter, &c. —— Penalty on colonels. —— Non-commiſſion officer embezzeling the ſoldiers pay, &c. to be reduced, &c. —— Juſtices may commit deſerters. —— Reward for taking-up deſerters. —— Penalty on perſons concealing deſerters, or buying their arms, clothes, &c. —— Penalty on officer breaking open houſe without warrant. —— His Majeſty empowered to make articles of war. —— None to be adjudged of life or limb, but for crimes expreſſed to be ſo puniſhable by this act. —— Deſerters beyond ſea, &c. may be tried here or in *Ireland*. —— This act to extend to deſerters, &c. in *Ireland*, &c. —— Perſons acquitted by the civil magiſtrate may only be caſhiered by a court-martial. —— Perſons accuſed of capital crimes, &c. to be delivered over to the civil magiſtrate, &c. —— Pay-maſters, &c. to account with executors. —— Perſons ſued may plead the general iſſue. Treble coſts. —— All ſuits to be brought in ſome of the courts of record at *Weſtminſter*, or *Dublin*, or the court of ſeſſion in *Scotland*. —— Continuance of this act. —— Penalties againſt the act 1 *Geo.* I. where to be ſued for. —— No volunteer liable to proceſs, unleſs for ſome criminal matter, or unleſs for a real debt of the value of 10*l.* Oath of the debt to be made before a judge, and marked on the back of the proceſs. Plaintiff may file a common appearance. —— Penalty on taking money to excuſe any perſon from quartering; or victuallers refuſing to quarter ſoldiers. —— Juſtices may order conſtables to give an account of the number of ſoldiers quartered, &c. —— How

troops are to pay in paſſing over ferries in *Scotland*. —— Clauſe for relief of perſons haſtily enliſting themſelves. Perſons refuſing the ſaid relief, to be proceeded againſt, as if duly liſted. —— Offences againſt former mutiny acts puniſhable by this act. —— None liable to be tried or puniſhed for offences againſt former acts, unleſs committed within three years; except for deſertion. —— Officers, &c. of the train of artillery ſubject to this act. — *American* troops acting in conjunction with *Britiſh* forces, liable to the ſame martial laws. —— Officers and ſoldiers of the *American* troops ſent over to *Great Britain*, to be quartered and billetted as the *Britiſh* forces, and under the ſame regulations and penalties. —— This act not to extend to the militia farther than is directed by the militia laws.

CAP. XII.

An act for the regulation of his Majeſty's marine forces while on ſhore.

Preamble. WHEREAS *it may be neceſſary for the ſafety of this kingdom, and the defence of the poſſeſſions of the crown of* Great Britain, *That a body of marine forces ſhould be employed in his Majeſty's fleet and naval ſervice, under the direction of the lord high admiral, or commiſſioners for executing the office of lord high admiral of* Great Britain: *and whereas the ſaid marine forces may frequently be quartered on ſhore, where they will not be ſubject to the laws relating to the government of his Majeſty's forces by ſea; yet nevertheleſs, it being requiſite for the retaining of ſuch forces in their duty, That an exact diſcipline be obſerved, and that marines who ſhall mutiny, or ſtir up ſedition, or ſhall deſert his Majeſty's ſervice, be brought to a more exemplary and ſpeedy puniſhment than the law will allow*; be it enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That from and after the twenty fifth day of *March*, one thouſand ſeven hundred and ſixty two, if any perſon being entered, or in pay as an officer of marines, or who is, or ſhall be liſted, or in pay as a private man, in any company of marines in his Majeſty's ſervice, and on the twenty fifth day of *March*, one thouſand ſeven hundred and ſixty two, ſhall remain in ſuch ſervice, or during the continuance of this act, ſhall be voluntarily entered, and in pay, as a marine officer or private man in his Majeſty's ſervice, and being ordered or employed in ſuch ſervice, at any time, during the continuance of this act, on ſhore, in any place within the realm of *Great Britain*, or in the kingdom of *Ireland*, or in any of his Majeſty's dominions beyond the ſeas reſpectively, ſhall begin, excite, cauſe, or join in any mutiny or ſedition, in the company to which he doth or ſhall belong, or in any other company, troop, or regiment, either of marine or land forces, in his Majeſty's ſervice, or ſhall not uſe his utmoſt endeavours to ſuppreſs the ſame, or coming to the knowledge of any ſuch mutiny, or intended mutiny, ſhall not without delay give information thereof to his commanding officer, or ſhall deſert his Majeſty's ſervice; or being actually entered as a marine, in any company, ſhall liſt himſelf in any other company, troop, or regiment, in his Majeſty's ſervice, without firſt having a diſcharge in writing from the officer commanding in chief the company in which he laſt ſerved as a marine; or ſhall be found ſleeping upon his poſt, or ſhall leave it before

After 25 March 1762, during the continuance of this act, every marine officer and private man, on ſhore,

who ſhall mutiny or deſert, &c.

or liſt in any other regiment, &c.

or ſhall be

before relieved; or ſhall hold correſpondence with any rebel, or enemy of his Majeſty, or give them advice or intelligence of any kind, by any ways or means, or in any manner whatſoever; or ſhall treat with ſuch rebels or enemies, or enter into any condition with them, without his Majeſty's licence, or licence of the lord high admiral of *Great Britain*, or of three or more of the commiſſioners for executing the office of lord high admiral of *Great Britain* for the time being; or ſhall ſtrike, or uſe any violence againſt his ſuperior officer, being in the execution of his office; or ſhall diſobey any lawful command of his ſuperior officer; all and every perſon and perſons ſo offending in any or either of the matters before-mentioned, on ſhore, in any part of this kingdom or *Ireland*, or any of his Majeſty's dominions beyond the ſeas, ſhall ſuffer death, or ſuch other puniſhment as by a court martial ſhall be inflicted.

found ſleeping on, or ſhall deſert his poſt, or hold illegal correſpondence with the enemies of his Majeſty, or ſhall ſtrike, or diſobey his ſuperior officer; ſhall ſuffer death, or ſuch puniſhment as a court-martial ſhall inflict.

II. And be it further enacted by the authority aforeſaid, That it ſhall and may, from time to time, during the continuance of this act, be lawful to and for the ſaid lord high admiral, or three or more of the ſaid commiſſioners for executing the ſaid office of lord high admiral for the time being, to grant a commiſſion under his or their reſpective hand or hands, to any officer of marines in his Majeſty's ſervice, not under the degree of a field officer, for the holding a general court-martial at any place or places on ſhore, in this realm or in *Ireland*, or in any of his Majeſty's dominions beyond the ſeas; in every of which courts-martial, all or any of the offences aforeſaid, and all or any other of the offences herein after ſpecified, ſhall be tried and proceeded againſt in ſuch manner as by this act is directed.

The lord high admiral, or commiſſioners for executing that office, may grant a commiſſion to hold general courts-martial, &c.

III. And be it alſo enacted, That it ſhall and may be lawful to and for ſuch courts-martial reſpectively, by their ſentence or judgment, to inflict corporal puniſhment, not extending to life or limb, on any marine for immorality, miſbehaviour, or neglect of duty on ſhore, in any place or places within this realm or *Ireland*, or any of his Majeſty's dominions beyond the ſeas, during the continuance of this act.

Courts-martial may inflict corporal puniſhment for immoralities, &c.

IV. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for the ſaid lord high admiral, or three or more of the commiſſioners for executing the ſaid office of lord high admiral, at any time during the continuance of this act, to make and eſtabliſh rules and articles in writing under his or their reſpective hand or hands, for the puniſhment of mutiny and deſertion, immorality, miſbehaviour, and neglect of duty, in any of his Majeſty's marine forces while on ſhore in any part of this realm or *Ireland*, or any of his majeſty's dominions beyond the ſeas, and for bringing offenders againſt the ſame to juſtice, and to erect and conſtitute courts-martial, with power to try, hear, and determine, any crimes or offences ſpecified in ſuch rules and articles, and inflict puniſhments by ſentence or judgment for the ſame, according to the true intent and meaning of this act.

Lords, &c. of the admiralty impowered to make articles for puniſhment of mutiny and deſertion, &c. and to conſtitute courts-martial.

V. Provided always, That no perſon or perſons ſhall be adjudged to ſuffer any puniſhment extending to life or limb, by the ſaid rules or articles within the kingdom of *Great Britain* or *Ireland*, except

None to be adjudged of life or limb, but for crimes

expreſſed to be ſo puniſhable by this act.

except for ſuch crime or crimes as is or are expreſſed to be ſo puniſhable by this act.

General court-martial not to conſiſt of leſs than 13; and the preſident to be a field officer, or officer next in ſeniority, not under the degree of a captain.

VI. And it is hereby further enacted and declared, That no general court-martial which ſhall have power to ſit by virtue of this act, ſhall conſiſt of a leſs number than thirteen, whereof none to be under the degree of a commiſſion officer of marines; and the preſident of ſuch court-martial ſhall not be under the degree of a field officer of marines, unleſs where ſuch field officer cannot be had; in which caſe, the marine officer next in ſeniority to ſuch field officer, not being under the degree of a captain, ſhall preſide at ſuch court-martial; and that ſuch court-martial ſhall have power and authority, and are hereby required to adminiſter an oath to every witneſs, in order to the examination or trial of any of the offences that ſhall come before them.

May adminiſter an oath to witneſſes.

Officers to be ſworn.

VII. Provided always, That in all trials of offenders by general courts-martial, to be held by virtue of this act, every officer preſent at ſuch trial, before any proceedings be had thereupon, ſhall take the following oaths upon the holy evangeliſts, before the court, and judge advocate, or his deputy (who are hereby authorized to adminiſter the ſame) in theſe words; that is to ſay,

The oath.

YOU *ſhall well and truly try and determine, according to the evidence which ſhall be given in the matter now before you, between our ſovereign lord the King's Majeſty, and the priſoner to be tried:*
So help you God.

The oath.

I A. B. *do ſwear, That I will duly adminiſter juſtice, according to an act of parliament now in force for the regulation of his Majeſty's marine forces while on ſhore, and according to the rules and articles made in purſuance of the ſaid act of parliament for the puniſhment of mutiny and deſertion, and other crimes therein reſpectively mentioned, without partiality, favour, or affection; and if any doubt ſhall ariſe, which is not explained by the ſaid act of parliament, or the ſaid rules and articles, according to my conſcience, the beſt of my underſtanding, and the cuſtom of war in like caſes. And I further ſwear, That I will not divulge the ſentence of the court until it ſhall be approved by the lord high admiral, or three or more of the commiſſioners for executing the office of lord high admiral of* Great Britain; *neither will I, upon any account, at any time whatſoever, diſcloſe or diſcover the vote or opinion of any particular member of the court-martial, unleſs required to give evidence thereof, as a witneſs, by a court of juſtice in a due courſe of law:*
So help me God.

The judge advocate to be ſworn.

And ſo ſoon as the ſaid oaths ſhall have been adminiſtered to the reſpective members, the preſident of the court is hereby authorized and required to adminiſter to the judge advocate, or to the perſon officiating as ſuch, an oath in the following words:

The oath.

I A. B. *do ſwear, That I will not, upon any account, at any time whatſoever, diſcloſe or diſcover the vote or opinion of any particular member of the court-martial, unleſs required to give evidence thereof, as a witneſs, by a court of juſtice in a due courſe of law:*
So help me God.

In ſentences of death, nine officers to concur, &c.

And no ſentence of death ſhall be given againſt any offender by any ſuch general court-martial, as aforeſaid, unleſs nine officers preſent

preſent ſhall concur therein; and if there be more officers preſent than thirteen, then the judgment ſhall paſs by the concurrence of two thirds of the officers preſent; and no proceeding or trial ſhall be had upon any offence, but between the hours of eight of the clock in the morning and three in the afternoon, except in caſes which require an immediate example. Hours of trial.

VIII. Provided always, That the party tried by any general court-martial to be held as aforeſaid, ſhall be intitled to a copy of the ſentence and proceedings of ſuch court-martial, upon demand thereof made by himſelf, or by any other perſon or perſons on his behalf (he or they paying reaſonably for the ſame) at any time not ſooner than three months after ſuch ſentence, whether ſuch ſentence be approved or not; any thing in this act to the contrary notwithſtanding. The party tried, intitled to a copy of the ſentence and proceedings of the court-martial.

IX. And be it enacted by the authority aforeſaid, That every judge advocate, or perſon officiating as ſuch at any general court-martial, to be held as aforeſaid, do, and he is hereby required to tranſmit, with as much expedition as the opportunity of time and diſtance of place can admit, the original proceedings and ſentence of ſuch court-martial to the ſecretary of the admiralty for the time being; which original proceedings and ſentence ſhall be by him carefully kept and preſerved in the office of the admiralty of *Great Britain*, to the end that the perſons intitled thereto may be enabled, upon application to the ſaid office, to obtain copies thereof, according to the true intent and meaning of this act. Original proceedings, &c. of courts-martial, to be tranſmitted to the ſecretary of the admiralty, &c,

X. Provided always, and be it hereby declared and enacted, That no marine, either officer or private man, being acquitted or convicted of any offence at any ſuch court-martial as aforeſaid, ſhall be liable to be tried a ſecond time by the ſame or any other court-martial for the ſame offence; and that no ſentence given by any court-martial, and ſigned by the preſident thereof, be liable to be reviſed more than once. None to be tried a ſecond time for the ſame offence. Sentence not to be reviſed more than once.

XI. And be it further enacted, That if any officer or private man ſhall deſert his majeſty's ſervice in any of his dominions beyond the ſeas, or elſewhere beyond the ſeas, and ſhall eſcape and come into this realm, or *Ireland*, before he be tried by a court-martial for ſuch offence and ſhall be apprehended for the ſame, ſuch officer or private man ſhall be tried for the ſame as if the ſaid offence had been committed within this realm. Deſerters beyond ſea, &c. may be tried here or in Ireland.

XII. Provided always, That nothing in this act contained ſhall extend, or be conſtrued to extend, to exempt any marine, either officer or private man whatſoever, while on ſhore, from being proceeded againſt by the ordinary courſe of law. This act not to exempt any on ſhore from ordinary proceſs.

XIII. Provided alſo, and be it further enacted, That no perſon or perſons being acquitted or convicted of any capital crimes, violences, or offences by the civil magiſtrate, ſhall be liable to be puniſhed by a court-martial for the ſame otherwiſe than by caſhiering. Perſons acquitted by the civil magiſtrate, may only be caſhiered by a court-martial.

XIV. Provided alſo, and be it further enacted, That if any marine officer, non-commiſſion officer, or private man, ſhall be accuſed of any capital crime, or of any violence or offence againſt the perſon, eſtate, or property, of any of his majeſty's ſubjects, which Perſons accuſed of capital crimes, &c. to

be delivered over to the civil magiſtrate, &c.

is puniſhable by the known laws of the land; the commanding officer or officers of every company, or party, is and are hereby required to uſe his and their utmoſt endeavours to deliver over ſuch accuſed perſon to the civil magiſtrate; and ſhall alſo be aiding and aſſiſting to the officers of juſtice in the ſeizing and apprehending ſuch offender, in order to bring him to trial: and if any ſuch commanding officer ſhall wilfully neglect or refuſe, upon application made to him for that purpoſe, to deliver over any ſuch accuſed perſon to the civil magiſtrate, or to be aiding and aſſiſting to the officers of juſtice in the apprehending ſuch offender; every ſuch officer ſo offending, and being thereof convicted before any two or more juſtices of the peace for the county where the fact is committed, by the oath of two credible witneſſes, ſhall be deemed and taken to be *ipſo facto* caſhiered, and ſhall be utterly diſabled to have or hold any civil or military office or employment within this kingdom, or in his Majeſty's ſervice; provided the ſaid conviction be affirmed at the next quarter ſeſſions of the peace for the ſaid county, and a certificate thereof be tranſmitted to the judge advocate, who is hereby obliged to certify the ſame to the next court-martial.

XV. And whereas his Majeſty hath been graciouſly pleaſed, in compaſſion to the diſtreſſed condition of ſeveral widows of officers of the army, who have loſt their lives in the ſervice of the late war, or during the late rebellion, by orders made under his royal ſign manual, to direct his commiſſary general of the muſters, to allow upon the muſter-rolls of all the regiments, troops, and companies, a number of fictitious names therein mentioned, inſtead of private men, in order to raiſe and ſettle a fund for the maintenance of ſuch widows of officers as are or ſhall be intitled to his royal bounty: therefore, for the more effectually fulfilling his Majeſty's ſaid gracious intentions, with reſpect to the allowing of fictitious names upon the muſter-rolls of the ſaid marine forces while on ſhore, for the purpoſes aforeſaid; be it further enacted and declared by the authority aforeſaid, That it ſhall and may be lawful, during the continuance of this act, to and for the ſaid lord high admiral, or three or more of the ſaid commiſſioners for executing the ſaid office of lord high admiral for the time being, by orders in writing under his or their reſpective hand or hands, to direct the perſon for the time being authorized to pay the ſaid marine forces, to pay over the full pay of ſuch fictitious private men as ſhall be allowed on the muſter-rolls of the ſaid marine forces while on ſhore as aforeſaid, to the proper receiver appointed by his majeſty, according to ſuch orders and inſtructions as his majeſty ſhall be pleaſed to make under his ſign manual, for the purpoſe aforeſaid; and that no allowance of any ſuch fictitious name upon any muſter-roll of the ſaid marine forces while on ſhore as aforeſaid, ſhall be conſtrued to be a falſe muſter; any thing in this or any former act contained to the contrary notwithſtanding.

Fictitious names allowed by his Majeſty's order upon the muſter rolls, for the maintenance of officers widows, not to be conſtrued a falſe muſter.

Paymaſter to pay the full pay of ſuch men to the receiver.

XVI. And whereas there is and may be occaſion for the marching and quartering of the ſaid marine forces in ſeveral parts of this kingdom; be it further enacted by the authority aforeſaid, That for

for and during the continuance of this act, and no longer, in purſuance of an order or orders, in writing in that behalf, under the hand of the ſaid lord high admiral, or under the hands of three or more of the commiſſioners for executing the office of lord high admiral for the time being, it ſhall and may be lawful to and for the conſtables, tythingmen, headboroughs, and other chief officers and magiſtrates of cities, towns, and villages, and other places, within *England*, *Wales*, and the town of *Berwick upon Tweed*, and in their default or abſence, for any one juſtice of the peace inhabiting in or near any ſuch city, town, village, or place, and for no others; and ſuch conſtables, and other civil magiſtrates as aforeſaid, are hereby required to quarter and billet the marines, both officers and private men in his Majeſty's ſervice, in inns, livery ſtables, ale-houſes, victualling-houſes, and the houſes of ſellers of wine by retail to be drank in their own houſes, or places thereunto belonging, and all houſes of perſons ſelling brandy, ſtrong waters, cyder, or metheglin, by retail, to be drank in houſes, other than and except the houſe or houſes of any diſtillers, who keep houſes or places of diſtilling brandy and ſtrong waters, and the houſe of any ſhopkeeper, whoſe principal dealings ſhall be more in other goods and merchandiſes, than in brandy and ſtrong waters (ſo as ſuch diſtillers and ſhopkeepers do not permit or ſuffer tippling in his or their houſes) and in no other, and in no private houſes whatſoever, without the conſent of the occupier; nor ſhall any more billets at any time be ordered, than there are effective marines preſent to be quartered: and if any conſtable, tythingman, or ſuch like officer or magiſtrate as aforeſaid, ſhall preſume to quarter or billet any ſuch officer or private man in any ſuch private houſe, without the conſent of the occupier; in ſuch caſe, ſuch occupier ſhall have his or their remedy at law againſt ſuch magiſtrate or officer, for the damage that ſuch occupier ſhall ſuſtain thereby: and if any marine officer ſhall take upon him to quarter private men otherwiſe than is limited and allowed by this act, or ſhall uſe or offer any menace or compulſion to any mayors, conſtables, or other civil officers before mentioned, tending to deter and diſcourage any of them from performing any part of their duty hereby required or appointed; ſuch marine officer ſhall for every ſuch offence (being thereof convicted before any two or more of the next juſtices of the peace of the county, by the oath of two credible witneſſes) be deemed and taken to be *ipſo facto* caſhiered, and ſhall be utterly diſabled to have or hold any military employment within this kingdom, or in his Majeſty's ſervice; provided the ſaid conviction be affirmed at the next quarter ſeſſions of the peace of the ſaid county, and a certificate thereof be tranſmitted to the judge advocate, who is hereby obliged to certify the ſame to the next court-martial; and in caſe any perſon ſhall find himſelf aggrieved, in that ſuch conſtable, tythingman, or headborough, chief officer, or magiſtrate (ſuch chief officer or magiſtrate not being a juſtice of the peace) has quartered or billeted in his houſe a greater number of marines than he ought to bear

Conſtables, &c. to quarter officers and men in inns, ale houſes, &c.

But in no diſtillers houſes or ſhopkeepers, or in any private houſes.

penalty on officers quartering private men contrary to this act, &c.

Perſons aggrieved by being quartered on, may complain to any juſtices and

be relieved.

bear in proportion to his neighbours; and ſhall complain thereof to one or more juſtice or juſtices of the peace of the diviſion, city, or liberty, where ſuch marines are quartered; or in caſe ſuch chief officer or magiſtrate ſhall be a juſtice of the peace, then on complaint made to two or more juſtices of the peace of ſuch diviſion, city, or liberty, ſuch juſtice or juſtices reſpectively ſhall have, and is or are hereby declared to have power to relieve ſuch perſon, by ordering ſuch and ſo many of the ſaid marines to be removed, and quartered upon ſuch other perſon or perſons, as they ſhall ſee cauſe; and ſuch other perſon or perſons ſhall be obliged to receive ſuch marines accordingly.

Officers and marines to be furniſhed at the rates herein ſet for their proviſions.

XVII. Provided nevertheleſs, and it is hereby enacted, That the marine officers and private men ſo quartered and billeted as aforeſaid, ſhall be received and furniſhed with diet and ſmall beer by the owners of the inns, livery ſtables, ale-houſes, victualling-houſes, and the houſes of ſellers of wine by retail, to be drank in their own houſes, or places thereunto belonging, and other houſes in which they are allowed to be quartered and billeted by this act; paying and allowing for the ſame the ſeveral rates hereinafter-mentioned to be payable out of the ſubſiſtence-money for diet and ſmall beer.

What innholders may allow men quartered on them, inſtead of meat.

XVIII. Provided always, That in caſe any innholder or other perſon on whom any non-commiſſion officers or private men ſhall be quartered by virtue of this act (except on a march, or employed in recruiting; and likewiſe except the recruits by them raiſed, for the ſpace of ſeven days at moſt, for ſuch non-commiſſion officers and private men who are recruiting, and recruits by them raiſed) ſhall be deſirous to furniſh ſuch non-commiſſion officers or private men with candles, vinegar, and ſalt, and with either ſmall beer or cyder, not exceeding five pints for each man *per Diem*, *gratis*, and allow to ſuch non-commiſſion officers or private men the uſe of fire, and the neceſſary utenſils for dreſſing and eating their meat, and ſhall give notice of ſuch his deſire to the commanding officer, and ſhall furniſh and allow the ſame accordingly; then, and in ſuch caſe, the non-commiſſion officers and private men ſo quartered ſhall provide their own victuals; and the officer to whom it belongs to receive, or who ſhall actually receive the pay and ſubſiſtence of ſuch non-commiſſion officers and private men, ſhall pay the ſeveral ſums herein aftermentioned to be payable out of the ſubſiſtence-money for diet and ſmall beer, to the non-commiſſion officers and private men aforeſaid, and not to the innholder or other perſon on whom ſuch non-commiſſion officers and private men are quartered; any thing herein contained to the contrary notwithſtanding.

Penalty on taking money to excuſe any perſon from quartering.

XIX. Provided always, and be it enacted by the authority aforeſaid, That if any marine officer ſhall take, or cauſe to be taken, or knowingly ſuffer to be taken, any money of any perſon for excuſing the quartering of officers or private men, or any of them, in any houſe allowed by this act, every ſuch officer ſhall be caſhiered, and be incapable of ſerving in any military employment whatſoever.

XX. And

XX. And whereas it may be for the benefit of the ſervice, for the commanding officer to have a power to exchange the billets or quarters of marines, quartered in the ſame town or place; be it therefore enacted by the authority aforeſaid, That the commanding officer of marines, in any town or place where ſuch marine forces are quartered, ſhall, and he is hereby declared to have power, from time to time, to exchange any marine or marines quartered in ſuch town or place, for any other marine or marines quartered in the ſame town or place, provided the number of men do not exceed the number at that time billeted on ſuch houſes reſpectively, where ſuch men ſhall be exchanged; and the conſtables, tythingmen, headboroughs, and other chief officers and magiſtrates, of the cities, towns, and villages, or other places where any of the ſaid marine forces ſhall be quartered, are hereby required to billet ſuch men ſo exchanged accordingly.

Commanding officer may exchange marines in their quarters.

Conſtables to billet the ſame accordingly.

XXI. And be it further enacted by the authority aforeſaid, That from and after the twenty fifth day of *March*, one thouſand ſeven hundred and ſixty two, no paymaſter, or other officer or perſon whatſoever, ſhall receive any fees, or make any deductions whatſoever out of the pay of any marine, either officer or private man, in his Majeſty's ſervice, or from their agents, which ſhall grow due from and after the ſaid twenty fifth day of *March*, one thouſand ſeven hundred and ſixty two, other than the uſual deductions for cloathing; and twelve pence in the pound to be diſpoſed of as his Majeſty ſhall think fit; and the one day's pay in the year for the uſe of the royal hoſpital at *Chelſea*; and ſuch other neceſſary deductions as ſhall from time to time be directed by the ſaid lord high admiral, or three or more of the commiſſioners for executing the office of lord admiral for the time being, by order in writing under his or their reſpective hand or hands.

No paymaſter &c. to make deductions out of officers or private men's pay.

Exceptions.

XXII. And that the quarters both of the ſaid marine officers and private men, while on ſhore, as aforeſaid, may, during the continuance of this act, be duly paid and ſatisfied, and his Majeſty's duties for exciſe better anſwered, be it enacted by the authority aforeſaid, That from and after the ſaid twenty fifth day of *March*, one thouſand ſeven hundred and ſixty two, every officer or other perſon to whom it belongs to receive, or that ſhall actually receive, the pay or ſubſiſtence-money, for one or more particular company or companies of the ſaid marine forces, or otherwiſe, ſhall immediately, upon each receipt of every particular ſum which ſhall, from time to time, be paid, returned, or come to his or their hands, on account of pay or ſubſiſtence, give public notice thereof to all perſons keeping inns, or other places where officers or private men are quartered by virtue of this act; and ſhall alſo appoint the ſaid innkeepers, and others, to repair to their quarters at ſuch times as they ſhall appoint for the diſtribution and payment of the ſaid pay or ſubſiſtence-money to ſuch officers or private men, which ſhall be within four days at the fartheſt after the receipt of the ſame as aforeſaid; and the ſaid innkeepers, and others, ſhall then and there acquaint ſuch officer or officers with the accounts or debts (if any ſhall be) between them

Officers to give notice to innkeepers of ſubſiſtence-money in their hands.

them and the officers and private men ſo quartered in their reſpective houſes; which accounts the ſaid officer or officers is or are hereby required to accept of, and immediately pay the ſame, before any part of the ſaid pay or ſubſiſtence be diſtributed either to the officers or private men: provided the ſaid accounts exceed not, for one marine commiſſion officer under the degree of a captain, for ſuch officer's diet and ſmall beer, *per diem*, one ſhilling; and if ſuch officer ſhould have a horſe or horſes, for each ſuch horſe or horſes, for their hay and ſtraw, *per diem*, ſix pence; nor for one private man's diet and ſmall beer, *per diem*, four pence: and if any officer or officers, as aforeſaid, ſhall not give notice as aforeſaid, and ſhall not immediately, upon producing ſuch account ſtated, ſatisfy, content, and pay the ſame; upon complaint and oath made thereof, by any two witneſſes, at the next quarter ſeſſions for the county or city wherein ſuch quarters were (which oath the juſtices of the peace at ſuch ſeſſions are hereby authorized and required to adminiſter) the paymaſter or perſon for the time being authorized to pay the ſaid marine forces is hereby required and authorized (upon certificate of the ſaid juſtices before whom ſuch oath was made, of the ſum due upon ſuch accounts, and the perſons to whom the ſame is owing) to pay and ſatisfy the ſaid ſums out of the arrears due to the ſaid marine officer or officers, upon penalty that ſuch paymaſter or perſon ſhall forfeit their reſpective place or places of paymaſter or otherwiſe, and be diſcharged from holding the ſame for the future: and in caſe there ſhall be no arrears due to the ſaid officer or officers, then the ſaid paymaſter or perſon for the time being authorized to pay the ſaid marine forces, is hereby authorized and required to deduct the ſums he ſhall pay, purſuant to the certificate of the ſaid juſtices, out of the next pay or ſubſiſtence-money of the company to which ſuch officer or officers ſhall belong; and ſuch officer or officers ſhall, for ſuch their offence, or for neglecting to give notice of the receipt of ſuch pay or ſubſiſtence-money, as aforeſaid, be deemed and taken, and are hereby declared *ipſo facto* caſhiered. And where it ſhall happen that the ſubſiſtence-money due to any marine officer or private man ſhall, by occaſion of any accident, not be paid to ſuch officer or private man, or ſuch officer or private man ſhall neglect to pay the ſame, ſo that quarters cannot be, or are not paid, as this act directs; in every ſuch caſe, it is hereby further enacted, That every ſuch officer ſhall, before his or their departure out of his or their quarters, where ſuch company ſhall remain for any time whatſoever, make up the accounts, as this act directs, with every perſon with whom ſuch company ſhall have quartered, and ſign a certificate thereof, and give the ſaid certificate, ſo by him ſigned, to the party to whom ſuch money is due, with the name of ſuch company to which he or they ſhall belong; to the end the ſaid certificate may be forthwith tranſmitted to the proper paymaſter of the marines, who is hereby required immediately to make payment thereof to the perſon or perſons to whom ſuch money ſhall be due, to the end the ſame may be applied

Rates of ſubſiſtence to be paid to inn-keepers, &c. for marines quarters.

Officers not giving notice of ſubſiſtence-money, and paying quarters,

paymaſter to ſatisfy them out of the company's next pay,

and officer to be caſhiered.

On moving from quarters, the officer to make up accounts, and give certificates for money due, &c.

Paymaſter to pay the ſum certified for.

applied to ſuch company, under pain as is before in this act directed for nonpayment of quarters.

Officers, &c. to be quartered in Scotland, as the laws in force at the union direct.

XXIII. And be it enacted by the authority aforeſaid, That it ſhall and may be lawful to quarter officers and private men of his Majeſty's marine forces in *Scotland*, in ſuch and the like places and houſes as officers and private men of the land forces might have been quartered in by the laws in force in *Scotland* at the time of the union; and that the poſſeſſors of ſuch houſes ſhall only be liable to furniſh the ſaid marine officers and private men quartered there, as by the ſaid laws in force at the time of the union was provided, with reſpect to the officers and private men of the land forces; and that no ſuch marine officer ſhall be obliged to pay for his lodging, where he ſhall be regularly billeted, except in the ſuburbs of *Edinburgh*.

Juſtices to order conſtables to provide carriages for the marine forces on their march.

XXIV. And be it further enacted by the authority aforeſaid, That for the better and more regular proviſion of carriages for his Majeſty's marine forces in their marches, or for their arms, clothes, or accoutrements, in *England*, *Wales*, and the town of *Berwick upon Tweed*, all juſtices of the peace, within their ſeveral counties, ridings, diviſions, ſhires, liberties, and precincts, being duly required thereunto by the ſaid lord high admiral, or three or more of the commiſſioners for executing the office of lord high admiral for the time being, by an order in writing under his or their reſpective hand or hands, ſhall, as often as ſuch order ſhall be brought and ſhewn unto one or more ſuch juſtices, by the officer or officers of the company or companies of marines ſo ordered to march, iſſue out his or their warrant or warrants to the high conſtables or petty conſtables of the diviſion, riding, city, liberty, hundred, or precinct, from, through, near, or to which ſuch company or companies ſhall be ordered to march; requiring them to make ſuch proviſion for carriages with able men to drive the ſame, as ſhall be mentioned in the ſaid warrant, allowing them ſufficient time to do the ſame, that the neighbouring parts may not always bear the burthen: and in caſe ſufficient carriages cannot be provided within any ſuch riding, city, liberty, hundred, diviſion, or precinct; then the next juſtice or juſtices of the peace of the county, riding, or diviſion, ſhall, upon ſuch order as aforeſaid being brought or ſhewn to one or more of them, by any of the marine officers aforeſaid, iſſue his or their warrant or warrants to the high conſtables or petty conſtables of ſuch next county, riding, liberty, diviſion, or precinct, for the purpoſes aforeſaid, to make up ſuch deficiency: and the aforeſaid officer or officers, who by virtue of the aforeſaid warrant or warrants from ſuch juſtice or juſtices of the peace, is or are to demand the carriage or carriages therein mentioned, of the high conſtable or petty conſtable to whom the warrant is directed, is and are hereby required at the ſame time to pay down in hand to the ſaid conſtable or petty conſtable, for the uſe of the perſon who ſhall provide ſuch carriages and men, the ſum of one ſhilling for every mile any waggon with five horſes ſhall travel; and the ſum of one

Rates for carriages.

one ſhilling for every mile any wain with ſix oxen, or four oxen with two horſes, ſhall travel; and the ſum of nine pence for every mile any cart with four horſes ſhall travel; and ſo in proportion for leſs carriages; for which reſpective ſums ſo received, the ſaid conſtable or petty conſtable is hereby required to give a receipt in writing to the perſon or perſons paying the ſame: and ſuch conſtable or petty conſtable ſhall order and appoint ſuch perſon or perſons, having carriages within their reſpective liberties, as they ſhall think proper, to provide and furniſh ſuch carriages and men, according to the warrant aforeſaid, who are hereby required to provide and furniſh the ſame accordingly: and if any marine officer or officers, for the uſe of whoſe company or companies the carriage was provided, ſhall force and conſtrain any waggon, wain, cart, or carriage, to travel more than one day's journey, or ſhall not diſcharge the ſame in due time for their return home, or ſhall ſuffer any marine or ſervant (except ſuch as are ſick) or any woman to ride in the waggon, wain, cart, or carriage aforeſaid, or ſhall force any conſtable or petty conſtable, by threatenings or menacing words, to provide ſaddle horſes for themſelves or ſervants, or ſhall force horſes from the owners by themſelves, ſervants, or private men, every ſuch officer, for every ſuch offence, ſhall forfeit the ſum of five pounds; proof thereof being made upon oath before two of his Majeſty's juſtices of the peace of the ſame county or riding, who are to certify the ſame to the proper paymaſter of his Majeſty's marine forces, who is hereby required to pay the aforeſaid ſum of five pounds accordingly, to the order and appointment under the hands and ſeals of ſuch juſtices of the peace, and is alſo hereby impowered to deduct the ſame out of ſuch officer's pay.

Penalty on officers forcing waggons to travel more than one day's journey, &c.

Penalty on conſtables, &c. neglect.

XXV. And be it enacted by the authority aforeſaid, That if any high conſtable or petty conſtable ſhall wilfully neglect or refuſe to execute any ſuch warrant of the ſaid juſtice or juſtices of the peace, as ſhall be directed unto ſuch conſtable or petty conſtable for providing carriages as aforeſaid; or if any perſon or perſons, appointed by ſuch conſtable or petty conſtable to provide or furniſh any carriage and man, ſhall refuſe or neglect to provide the ſame; or any other perſon or perſons whatſoever ſhall wilfully do any act or thing, whereby the execution of any ſuch warrant or warrants ſhall be hindered or fruſtrated; every ſuch conſtable, or other perſon or perſons ſo offending, ſhall, for every ſuch offence, forfeit any ſum not exceeding forty ſhillings, nor leſs than twenty ſhillings, to the uſe of the poor of the pariſh where any ſuch offence ſhall be committed: and all and every ſuch offence and offences ſhall and may be enquired of, heard, and fully determined, by two of his Majeſty's juſtices of the peace, dwelling in or near the place where ſuch offence ſhall be committed, who have hereby power to cauſe the ſaid penalty to be levied by diſtreſs and ſale of the offender's goods and chattels, rendering the overplus (if any) to the owner.

XXVI. And whereas the reſpective ſums of money by this act appointed to be paid to the conſtables by the officers demanding ſuch

ſuch carriages, may not, in many caſes, be ſufficient to anſwer the charge and expence of providing the ſame, whereby the ſaid conſtables may be frequently at great charges, over and above what is received by them of the ſaid officers, to the great burthen of the townſhip of which they are reſpectively conſtables, or elſe the perſons furniſhing ſuch carriages may be grievouſly oppreſſed; to prevent which, and that ſuch overplus charge may be borne by each county or riding, at the general charge of ſuch county or riding, be it further enacted by the authority aforeſaid, That the treaſurer or treaſurers of each reſpective county or riding ſhall, without fee or reward, pay unto ſuch conſtable all and every ſuch reaſonable ſum or ſums of money, ſo by him paid or laid out for ſuch carriages, over and above what was or ought to have been paid by the marine officer requiring ſuch carriages, out of the public ſtock of ſuch county or riding, according to ſuch rates, orders, rules, and directions, as the ſaid juſtices of the peace, in their quarter ſeſſions aſſembled, within their reſpective juriſdictions, ſhall, from time to time, during the continuance of this act, make, direct, and appoint (which orders ſhall be made without fee or reward) regard being always had to the ſeaſon of the year, and the length and condition of the roads through which ſuch carriages are to travel.

Treaſurers of the county to repay the conſtables extraordinary charges.

XXVII. And in caſe the ſaid public ſtock of the county or riding be not ſufficient (over and above the other purpoſes for which it was raiſed) to ſatisfy the extraordinary charge of carriages before-mentioned; it is hereby further enacted, That the ſaid juſtices of the peace in the general quarter ſeſſions ſhall have power, from time to time, to raiſe monies upon the reſpective counties or ridings in ſuch manner as they now raiſe monies for building or repairing county gaols and bridges, to ſatisfy the ſaid extraordinary charge of carriages.

The money for thoſe purpoſes how to be raiſed.

XXVIII. Provided always, and be it further enacted, That no waggon, wain, cart, or carriage, impreſſed by authority of this act, ſhall be liable or obliged, by virtue of this act, to carry above twenty hundred weight; any thing in this act contained to the contrary notwithſtanding.

No waggon, &c, to carry above 20 hundred weight.

XXIX. And be it further enacted, That the carriages for the ſervice of the marine forces quartered or marching in *Scotland*, ſhall be provided in like manner, and at the rates, and the furniſher of ſuch carriages ſhall be paid, as was directed by the law in force in *Scotland*, at the time of the union, with regard to the furniſhing carriages for land forces.

Carriages in Scotland how to be provided.

XXX. And be it enacted by the authority aforeſaid, That if any officer, military or civil, by this act authorized to quarter marines in any houſes hereby appointed for that purpoſe, ſhall at any time during the continuance of this act, quarter any of the wives, children, men, or maid-ſervants of any officer or marine in any ſuch houſes, againſt the conſent of the owners; the party offending, if an officer of the marines, ſhall, upon complaint and proof thereof made to the commiſſioners for executing the office

Marines wives, &c, not to be quartered without conſent.

Penalty.

office of lord high admiral, or judge advocate, be *ipſo facto* caſhiered; and if a conſtable, tythingman, or other civil officer, he ſhall forfeit to the party aggrieved twenty ſhillings, upon complaint and proof thereof made to the next juſtice of the peace, to be levied by warrant of ſuch juſtice, by diſtreſs and ſale of his goods, rendering the overplus to the party, after deducting reaſonable charges in taking the ſame.

Penalty on officers or marines deſtroying the game.

XXXI. And for the better preſervation of the game, in or near ſuch place, where any officers or ſoldiers ſhall at any time be quartered; be it enacted by the authority aforeſaid, That if, from and after the ſaid twenty fifth day of *March*, one thouſand ſeven hundred and ſixy two, any officer or marine ſhall, without leave of the lord of the manor, under his hand and ſeal, firſt had and obtained, take, kill, or deſtroy, any hare, coney, pheaſant, partridge, pigeon, or any other ſort of fowls, poultry, or fiſh, or his Majeſty's game, within the kingdom of *Great Britain*; and upon complaint thereof ſhall be, upon oath of one or more credible witneſs or witneſſes, convicted before any juſtice or juſtices of the peace, who is and are hereby impowered and authorized to hear and determine the ſame; (that is to ſay) every officer ſo offending ſhall, for every ſuch offence, forfeit the ſum of five pounds, to be diſtributed among the poor of the place where ſuch offence ſhall be committed; and every officer commanding in chief upon the place, for every ſuch offence committed by any marine under his command, ſhall forfeit the ſum of twenty ſhillings, to be paid and diſtributed in manner aforeſaid; and if, upon conviction made by the juſtices of the peace, and demand thereof alſo made by the conſtable or overſeers of the poor, ſuch officer ſhall refuſe or neglect, and not within two days pay the ſaid reſpective penalties, ſuch officer ſo refuſing or neglecting ſhall forfeit, and is hereby declared to have forfeited, his commiſſion, and his commiſſion is hereby declared to be null and void.

Conſtables may apprehend deſerters, and carry them before a juſtice.

Juſtice to commit them,

XXXII. And whereas ſeveral marines who being duly entered may afterwards deſert, and be found wandering, or otherwiſe abſenting themſelves illegally from his Majeſty's ſervice; it is hereby further enacted, That it ſhall and may be lawful to and for the conſtable, headborough, or tythingman of the town or place, where any perſon, who may be reaſonably ſuſpected to be ſuch a deſerter, ſhall be found, to apprehend, or cauſe him to be apprehended, and to cauſe ſuch perſon to be brought before any juſtice of the peace, living in or near ſuch town or place, who is hereby impowered and required to examine ſuch ſuſpected perſon; and if by his confeſſion, or the teſtimony of one or more witneſs or witneſſes upon oath, or by the knowledge of ſuch juſtice of the peace, it ſhall appear or be found, that ſuch ſuſpected perſon is a marine duly entered, and ought to be with the company to which he belongs; ſuch juſtice of the peace ſhall forthwith cauſe him to be conveyed to the gaol of the county or place where he ſhall be found; or to the houſe of correction, or other public priſon in ſuch town or place where ſuch deſerter ſhall be apprehended;

apprehended; or to the *Savoy*, in caſe ſuch deſerter ſhall be apprehended within the cities of *London* or *Weſtminſter*, or places adjacent; and tranſmit an account thereof to the ſecretary of the admiralty for the time being, to the end ſuch perſon may be proceeded againſt according to law: and the keeper of ſuch gaol, houſe of correction, or priſon, ſhall receive the full ſubſiſtence of every ſuch deſerter, during the time he ſhall continue in his cuſtody, for the maintenance of ſuch deſerter; but ſhall not be intituled to any fee or reward, on account of the impriſonment of any ſuch deſerter; any law, uſage, or cuſtom, to the contrary notwithſtanding.

and tranſmit an account to the ſecretary of the admiralty.

Gaol-keeper to receive the ſubſiſtence of deſerters, but no other fee, &c.

XXXIII. And, for the better encouragement of any perſon or perſons to ſecure or apprehend ſuch deſerters; be it further enacted by the authority aforeſaid, That ſuch juſtice of the peace ſhall alſo iſſue his warrant in writing to the collector or collectors of the land tax money of the pariſh or townſhip where ſuch deſerter ſhall be apprehended, for paying out of the land tax money, ariſen or to ariſe in the year one thouſand ſeven hundred and ſixty two, into the hands of ſuch perſon or perſons who ſhall apprehend, or cauſe to be apprehended, any ſuch deſerter from his Majeſty's ſervice, the ſum of twenty ſhillings for every ſuch deſerter that ſhall be ſo apprehended and committed; which ſum of twenty ſhillings ſhall be ſatisfied by ſuch collector or collectors to whom ſuch warrant ſhall be directed, and allowed upon his or their account.

Reward for taking up deſerters.

XXXIV. And be it further enacted, That if any perſon ſhall harbour, conceal, or aſſiſt any deſerter from his majeſty's marine ſervice, knowing him to be ſuch; the perſon ſo offending ſhall forfeit, for every ſuch offence, the ſum of five pounds; or if any perſon ſhall knowingly detain, buy, or exchange, or otherwiſe receive, any arms, clothes, caps, or other furniture belonging to the King, from any marine or marine deſerter, upon any account or pretence whatſoever, or cauſe the colour of ſuch clothes to be changed; every ſuch perſon ſo offending in each, any, or either of the caſes aforeſaid, ſhall forfeit for every ſuch offence the ſum of five pounds; and upon conviction by the oath of one or more credible witneſs or witneſſes, before any one or more of his Majeſty's juſtices of the peace, the ſaid reſpective penalties of five pounds, and five pounds, ſhall be levied by warrant under the hands of the ſaid juſtice or juſtices of the peace, by diſtreſs and ſale of the goods and chattels of the offender; one moiety of the ſaid firſt-mentioned penalty of five pounds to be paid to the informer, by whoſe means ſuch deſerter ſhall be apprehended; and one moiety of the ſaid laſt-mentioned penalty of five pounds to be paid to the informer; and the reſidue of the ſaid reſpective penalties to be paid to the officer to whom any ſuch deſerter or marine did or doth belong: and in caſe any ſuch offender, who ſhall be convicted, as aforeſaid, of harbouring or aſſiſting any ſuch deſerter or deſerters; or having knowingly received any arms, clothes, caps, or other furniture belonging to the King: or having cauſed the colour of ſuch clothes to

Penalty on perſons concealing deſerters, or buying their arms, clothes, &c.

be changed, contrary to the intent of this act, ſhall not have ſufficient goods and chattels, whereon diſtreſs may be made, to the value of the penalties recovered againſt him for ſuch offence, or ſhall not pay ſuch penalties within four days after ſuch conviction; then, and in ſuch caſe, ſuch juſtice or juſtices of the peace ſhall and may, by warrant under his or their hand and ſeal, or hands and ſeals, either commit ſuch offender to the common gaol, there to remain without bail or mainprize for the ſpace of three months, or cauſe ſuch offender to be publicly whipt, at the diſcretion of ſuch juſtice or juſtices.

This act to extend to deſerters, &c. in Ireland.

XXXV. Provided always, That ſo much of this act as relates to the puniſhment of ſuch who ſhall harbour, conceal, or aſſiſt deſerters, or ſhall knowingly detain, buy, exchange, or otherwiſe receive, any arms, clothes, caps, or other furniture belonging to the King, from any marine or marine deſerter, or cauſe the colour of ſuch clothes to be changed, ſhall extend, to all ends and purpoſes whatſoever, to *Ireland*, and ſhall be put in execution in that kingdom, by all juſtices of the peace, and other officers reſpectively, according to the tenor, and during the continuance of this act.

Continuance of this act.

XXXVI. And be it further enacted by the authority aforeſaid, That this act, and every thing herein contained, ſhall be and continue in force from the ſaid twenty fifth day of *March*, in the year of our Lord one thouſand ſeven hundred and ſixty two, until the twenty fifth day of *March*, in the year of our Lord one thouſand ſeven hundred and ſixty three.

No volunteer liable to proceſs, unleſs for ſome criminal matter, or unleſs for a real debt of the value of 10l.

Oath of the debt to be made before a judge,

and a memorandum thereof marked on the back of the proceſs;

XXXVII. And to prevent, as far as may be, any unjuſt or fraudulent arreſts that may be made upon marines, whereby his majeſty and the public may be deprived of their ſervice; it is hereby further enacted by the authority aforeſaid, That no perſon whatſoever, who is entered, or ſhall enter himſelf as a volunteer in his Majeſty's ſervice, as a marine, during the continuance of this act, ſhall be liable to be taken out of his Majeſty's ſervice by any proceſs or execution whatſoever, other than for ſome criminal matter, unleſs for a real debt, or other juſt cauſe of action; and unleſs, before the taking out of ſuch proceſs or execution (not being for a criminal matter) the plaintiff or plaintiffs therein, or ſome other perſon or perſons on his or their behalf, ſhall make affidavit before one or more judge or judges of the court of record, or other court, out of which ſuch proceſs or execution ſhall iſſue, or before ſome perſon authorized to take affidavits in ſuch courts, that to his or their knowledge the original ſum, juſtly due and owing to the plaintiff or plaintiffs from the defendant or defendants, in the action or cauſe of action on which ſuch proceſs ſhall iſſue, or the original debt for which ſuch execution ſhall be iſſued out, amounts to the value of ten pounds at leaſt, over and above all coſts of ſuit in the ſame action, or in any other action on which the ſame ſhall be grounded; a memorandum of which oath ſhall be marked on the back of ſuch proceſs or writ; for which memorandum or oath no fee ſhall be taken: and if any perſon ſhall nevertheleſs be arreſted contrary

to

to the intent of this act, it ſhall and may be lawful for one or more judge or judges of ſuch court, upon complaint thereof made by the party himſelf, or by any his ſuperior officer, to examine into the ſame by the oath of the parties, or otherwiſe, and by warrant under his or their hands and ſeals, to diſcharge ſuch marine ſo arreſted contrary to the intent of this act, without paying any fee or fees, upon due proof made before him or them, that ſuch marine ſo arreſted, was legally entered as a marine in his Majeſty's ſervice, and arreſted contrary to the intent of this act, and alſo to award to the party ſo complaining, ſuch coſts as ſuch judge or judges ſhall think reaſonable: for the recovery whereof, he ſhall have the like remedy that the perſon who takes out the ſaid execution might have had for his coſts, or the plaintiff in the like action might have had for the recovery of his coſts, in caſe judgment had been given for him with coſts againſt the defendant in the ſaid action.

otherwiſe priſoner to be diſcharged, with coſts.

XXXVIII. And to the end that honeſt creditors, who aim only at the recovery of their juſts debts due to them from perſons entered as marines in his Majeſty's ſervice, may not be hindered from ſuing for the ſame, but on the contrary may be aſſiſted and forwarded in their ſuits; and inſtead of an arreſt, which may at once hurt the ſervice, and occaſion a great expence and delay to themſelves, may be enabled to proceed in a more ſpeedy and cheap method; be it further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for any plaintiff or plaintiffs, upon notice firſt given in writing of the cauſe of action to ſuch perſon or perſons ſo entered, or left at his or their laſt place of reſidence before ſuch entering, to file a common appearance in any action to be brought for or upon account of any debt whatſoever, ſo as to intitle ſuch plaintiff to proceed therein to judgment and outlawry, and to have an execution thereupon, other than againſt the body or bodies of him or them ſo entered as aforeſaid; this act, or any thing herein, or any former law or ſtatute, to the contrary notwithſtanding.

Plaintiff giving notice, may file a common appearance,

and proceed to judgment and execution.

XXXIX. And be it further enacted by the authority aforeſaid, That if any high conſtable, conſtable, bedel, or other officer or perſon whatſoever, who, by virtue or colour of this act, ſhall quarter or billet, or be employed in quartering or billeting, any marine officers or private men, ſhall neglect or refuſe, for the ſpace of two hours, to quarter or billet ſuch officers or marines when thereunto required, in ſuch manner as is by this act directed, provided ſufficient notice be given before the arrival of ſuch forces; or ſhall receive, demand, contract, or agree for any ſum or ſums of money, or any reward whatſoever, for or on account of excuſing, or in order to excuſe any perſon or perſons whatſoever from quartering or receiving into his, her, or their houſe or houſes any ſuch officer or marine; or in caſe any victualler, or any other perſon, liable by this act to have any officer or marine billeted or quartered on him or her, ſhall refuſe to receive or victual any ſuch officer or marine ſo quartered or billeted upon him or her as aforeſaid; or ſhall refuſe to furniſh or allow, according

Penalty on conſtables, &c. neglecting to quarter marines.

Penalty on taking money to excuſe any perſon from quartering,

and on victuallers refuſing to receive marines.

cording to the directions of this act, the ſeveral things herein before reſpectively directed to be furniſhed or allowed to non-commiſſion officers and marines ſo quartered or billeted on him or her as aforeſaid, at the rate herein before-mentioned, and ſhall be thereof convicted before any one or more juſtice or juſtices of the peace of the county, city, or liberty, within which ſuch offence ſhall be committed, either by his own confeſſion, or by the oath of one or more credible witneſs or witneſſes (which oath the ſaid juſtice or juſtices is and are hereby impowered to adminiſter) every ſuch high conſtable, conſtable, bedel, or other officer or perſon ſo offending, ſhall forfeit, for every ſuch offence, the ſum of five pounds, or any ſum of money not exceeding five pounds, nor leſs than forty ſhillings (as the ſaid juſtice or juſtices, before whom the matter ſhall be heard, ſhall, in his or their diſcretion, think fit) to be levied by diſtreſs and ſale of the goods of the perſon offending, by warrant under the hand and ſeal, or hands and ſeals, of ſuch juſtice or juſtices, before whom ſuch offender ſhall be convicted, or of one or more of them, to be directed to any other conſtable within the county, city, or liberty, or to any of the overſeers of the poor of the pariſh where the offender ſhall dwell; and the ſaid ſum of five pounds, or the ſaid ſum not exceeding five pounds, nor leſs than forty ſhillings, when levied, to be paid to the overſeers of the poor of the pariſh where the offence ſhall be committed, or to ſome one of them, for the uſe of the poor of ſuch pariſh.

To prevent abuſes in quartering, juſtices may order conſtables to give an account of the number of officers, and private men, and where quartered.

XL. And, for the better preventing abuſes in quartering or billeting the marines, in purſuance of this act; be it further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for any one or more juſtice or juſtices of the peace, within their reſpective counties, cities, or liberties, by warrant or order under his or their hand and ſeal, or hands and ſeals, at any time or times during the continuance of this act, to require and command any high conſtable, conſtable, bedel, or other officer, who ſhall quarter or billet any marines in purſuance of this act, to give an account in writing unto the ſaid juſtice or juſtices requiring the ſame, of the number of officers and private men who ſhall be quartered or billeted by them, and alſo the names of the houſekeepers or perſons, upon whom every ſuch officer or private man ſhall be quartered or billeted, together with an account of the ſtreet or place where every ſuch houſekeeper dwells, and the ſigns (if any) belonging to their houſes; to the end it may appear to the ſaid juſtice or juſtices where ſuch officers and private men are quartered or billeted, and that he or they may thereby be the better enabled to prevent or puniſh all abuſes in the quartering or billeting of them.

Clauſe for relief of perſons haſtily liſting themſelves.

XLI. Provided nevertheleſs, and it is hereby declared by the authority aforeſaid, That from and after the twenty fifth day of *March*, one thouſand ſeven hundred and ſixty two, when and as often as any perſon or perſons ſhall be inliſted as a marine or marines in his Majeſty's ſervice, he and they ſhall, within four days, but not ſooner than twenty four hours, after ſuch inliſting reſpectively,

reſpectively, be carried before the next juſtice of the peace of any county, riding, city, or place, or chief magiſtrate of any city or town corporate (not being an officer of marines) and before ſuch juſtice or chief magiſtrate, he or they ſhall be at liberty to declare his or their diſſent to ſuch inliſting; and upon ſuch declaration, and returning the inliſting-money, and alſo each perſon ſo diſſenting paying the ſum of twenty ſhillings for the charges expended or laid out upon him, ſuch perſon or perſons ſo inliſted ſhall be forthwith diſcharged and ſet at liberty, in the preſence of ſuch juſtice or chief magiſtrate; but if ſuch perſon or perſons ſhall refuſe or neglect, within the ſpace of twenty four hours, to return and pay ſuch money, as aforeſaid, he or they ſhall be deemed and taken to be inliſted, as if he or they had given his or their aſſent thereto before the ſaid juſtice or chief magiſtrate; or if ſuch perſon or perſons ſhall declare his or their having voluntarily inliſted himſelf or themſelves, then ſuch juſtice or chief magiſtrate ſhall, and he is hereby required forthwith to certify under his hand, that ſuch perſon or perſon is or are duly inliſted; ſetting forth the place of the birth, age, and calling of him or them reſpectively (if known) and that the ſecond and third ſections of the articles of war for the better government of his Majeſty's marine forces while on ſhore in *Great Britain* or *Ireland*, were read to him or them, and that he or they had taken the oath of fidelity mentioned in the twelfth ſection of the ſaid articles of war; and if any ſuch perſon or perſons, ſo to be certified as duly inliſted, ſhall refuſe to take the ſaid oath of fidelity before the ſaid juſtice or chief magiſtrate, it ſhall and may be lawful for ſuch officer, from whom he has received ſuch money as aforeſaid, to detain or confine ſuch perſon or perſons, until he or they ſhall take the oath before required; and every officer of marines that ſhall act contrary hereto, or offend herein, upon proof thereof upon oath made by two witneſſes before a general court-martial to be thereupon called, ſhall, for ſuch offence, be forthwith caſhiered and diſplaced from ſuch his office, and ſhall be thereby utterly diſabled to have or hold any civil or military office or employment within this kingdom, or in his Majeſty's ſervice.

XLII. Provided always, and it is hereby declared, That all his Majeſty's marine forces, as well officers as private men, ſhall, from time to time, during their being reſpectively borne as part of the complement of any of his Majeſty's ſhips or veſſels, be ſubject or liable in like manner, in all reſpects, as any officers or ſeamen employed in his Majeſty's ſea ſervice are ſubject and liable to be governed and proceeded againſt and puniſhed for offences committed by them during the time they ſhall be borne as part of the complement of ſuch ſhips or veſſels, according to the purport, tenor, effect, and true intent and meaning of an act of parliament made in the twenty ſecond year of the reign of his late Majeſty King *George* the Second, intituled, *an act for amending, explaining, and reducing into one act of parliament, the laws relating to the government of his Majeſty's ſhips, veſſels, and forces by ſea;*

Marine forces being borne as part of the complement of any ſhips of war, are liable to be governed by the rules eſtabliſhed by act 22 Geo. II.

ſeas; this preſent act, or any thing herein contained notwithſtanding.

CAP. XIII.

An act for appointing commiſſioners for putting in execution an act of this ſeſſion of parliament, intituled, An act for granting an aid to his Majeſty by a land tax, to be raiſed in *Great Britain*, for the ſervice of the year One thouſand ſeven hundred and ſixty-two.

THE commiſſioners herein named, are impowered to put the land-tax act of this ſeſſion in execution, as fully as if they had been ſpecially named in, and appointed by the ſaid act; and they are to be ſubject to the like qualifications, penalties, and forfeitures.

CAP. XIV.

An act to prevent vexatious proceedings againſt brewers, victuallers, and others, with reſpect to the prices of beer and ale; for better ſecuring the revenue upon ſtrong beer and ale, by preventing fraudulent mixing thereof; to repeal ſo much of an act made in the firſt year of the reign of his preſent Majeſty, as extends certain proviſions relative to the exportation of ſpirituous liquors to the exportation of ſtrong beer and ale; and for the more effectual preventing the re-landing of beer, ale, cyder, and mum, ſhipped for exportation as merchandize.

Preamble.

WHEREAS *brewers, inn-keepers, victuallers, or other retailers of ſtrong beer or ale, have been threatened with, and may be ſubject to, vexatious proſecutions for advancing, or having advanced, the price of ſtrong beer or ale, however juſtly and reaſonably: now, in order to prevent ſuch vexatious proceedings, may it pleaſe your moſt excellent Majeſty, that it may be enacted*; *and* be it therefore enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That no brewer, inn-keeper, victualler, or other retailer of ſtrong beer or ale ſhall, at any time hereafter, be ſued, impleaded, or moleſted, by indictment, information, popular action, or otherwiſe, for advancing, or having advanced, the price of ſtrong beer or ale in a reaſonable degree; any law or ſtatute to the contrary notwithſtanding.

The price of ſtrong beer and ale may be reaſonably advanced, without ſubjecting the vender to proſecution.

II. And whereas the mixing ſtrong beer, ale, or ſtrong worts, with ſmall beer or ſmall worts, or with water, either by the brewer, after the gauge thereof hath been taken, or by the victualler, after ſuch ſtrong beer, ale, or ſtrong worts, ſhall be ſold and delivered to him or her, is greatly detrimental to his Majeſty's revenue, and is an impoſition upon the conſumer, and hinders the ſale of genuine ſtrong beer and ale; and the proviſions already eſtabliſhed by law are found to be inſufficient to prevent the ſame: for remedy thereof, and for the more effectual prevention

prevention of ſuch frauds, be it hereby enacted by the authority aforeſaid, That from and after the paſſing of this act, if any common or other brewer, inn-keeper, victualler, or retailer of beer or ale, ſhall mix, or cauſe or ſuffer to be mixed, in any veſſel, tub, meaſure, or otherwiſe howſoever, any ſtrong beer, ale, or ſtrong worts, with any ſmall beer or ſmall worts, or with water, after the gauge of ſuch ſtrong beer, ale, or ſtrong worts, ſhall have been taken by an officer of excife, every ſuch perſon ſo offending, for every ſuch offence, ſhall reſpectively forfeit and loſe the ſum of fifty pounds.

50l. penalty on fraudulently mixing ſtrong beer, ale, or ſtrong worts, with other liquors.

III. And whereas by a clauſe in an act of parliament paſſed in the firſt year of the reign of his preſent Majeſty, intituled, *An act for granting to his Majeſty an additional duty upon ſtrong beer and ale; and for raiſing the ſum of twelve millions by way of annuities, and a lottery, to be charged on the ſaid duty; and for further encouraging the exportation of ſtrong beer and ale*; it was provided and enacted, That all the rules, regulations, directions, powers, penalties, forfeitures, clauſes, matters, and things, which, by an act made in the then laſt ſeſſion of parliament (intituled, *An act for preventing the exceſſive uſe of ſpirituous liquors by laying additional duties thereon; for ſhortening the prohibition of making low wines and ſpirits from wheat, barley, malt, or other grain, and from meal, flour, and bran; for encouraging the exportation of* Britiſh *made ſpirits, and for more effectually ſecuring the duties payable upon ſpirits, and preventing the fraudulent re-landing or importation thereof)* were provided, ſettled, eſtabliſhed, and inflicted, for and in reſpect to the paying and allowing the drawback and bounty thereby granted upon ſpirits exported as merchandize, and for preventing, detecting, and puniſhing, frauds and abuſes in the relanding the ſame, and all other frauds and abuſes previous to the ſhipping, or relating to the exportation of ſuch ſpirits, and the obtaining ſuch drawback and bounty, not otherwiſe thereby altered, ſhould, except ſuch parts as relate to the ſize of the caſks, and burden of the ſhips or veſſels, be exerciſed, practiſed, applied, levied, recovered, and put in execution, for paying and allowing the drawback and bounty thereby granted upon beer and ale, and for preventing, detecting, and puniſhing, frauds and abuſes in the re-landing ſuch beer or ale, and all other frauds and abuſes previous to the ſhipping or relating to the exportation thereof, and the obtaining of the ſaid drawback and bounty, as fully and effectually, to all intents and purpoſes, as if all and every the ſaid rules, regulations, directions, powers, penalties, forfeitures, clauſes, matters, and things, were particularly repeated, and again re-enacted, in the body of the ſaid recited act: and whereas it is found by experience, that the like rules, regulations, and directions, which are eſtabliſhed for enforcing the due exportation of ſpirits, are not neceſſary to enforce the due exportation of ſtrong beer or ale, but are found to be inconvenient; be it therefore enacted and declared by the authority aforeſaid, That, from and after the paſſing of this act, the ſaid recited clauſe, and every article, matter,

Recital of clauſe in act 1 Geo. 3.

The recited clauſe repealed.

matter, and thing, therein contained, ſhall be and are hereby repealed, and made null and void.

Proviſion in act 1 Will. & Mary.

IV. And whereas the proviſion eſtabliſhed by an act of parliament made in the firſt year of the reign of their late Majeſties King *William* and Queen *Mary*, intituled, *An act for the exportation of beer, ale, cyder, and mum; for preventing the re-landing the ſaid liquors ſhipped in any veſſel for exportation, as merchandize*; extends only to the re-landing ſuch liquors within the kingdom of *England*, dominion of *Wales*, and town of *Berwick upon Tweed*: and whereas it is neceſſary that the ſaid proviſion ſhould be amended and enforced, and extended to all parts of *Great Britain*; be it therefore enacted by the authority aforeſaid, That from and after the twenty-fourth day of *June*, one thouſand ſeven hundred and ſixty-two, if any merchant or maſter of any ſhip or veſſel, or other perſon, ſhall cauſe or ſuffer any of the ſaid liquors, which ſhall be ſhipped for exportation as merchandize, to be unſhipped, unladen, or laid on land, or put into any other ſhip or veſſel within the kingdom of *Great Britain*, he, ſhe, or they ſhall forfeit the ſame, together with the caſks and package containing the ſame, and alſo the ſum of fifty pounds for every caſk of ſuch reſpective liquor he, ſhe, or they ſhall ſo unduly unſhip, unlade, or lay on land, or put on board any other ſhip or veſſel; which ſaid reſpective liquors ſo unduly unſhipped, unladen, or laid on land, or put on board any other ſhip or veſſel, ſhall and may be ſeized by any officer or officers of the cuſtoms or exciſe.

All beer, ale, cyder, and mum, which ſhall be re-landed, &c. after being ſhipped for exportation, is to be forfeited, with 50l. for every cask thereof.

Recovery and application of penalties.

V. And be it further enacted and declared by the authority aforeſaid, That all fines, penalties, and forfeitures impoſed by this act, ſhall be ſued for, levied, recovered, or mitigated, by ſuch ways, means, and methods, as any fine, penalty, or forfeiture, is or may be recovered or mitigated by any law or laws of exciſe or other duties, under the management of the commiſſioners of exciſe, or by action of debt, bill, plaint, or information, in any of his Majeſty's courts of record at *Weſtminſter*, or in the court of exchequer in *Scotland* reſpectively; and that one moiety of every ſuch fine, penalty, or forfeiture, ſhall be to his Majeſty, his heirs, and ſucceſſors, and the other moiety to him or them who ſhall diſcover, inform, or ſue for the ſame.

VI. And be it hereby further enacted by the authority aforeſaid, That if any perſon or perſons ſhall be ſued, moleſted, or proſecuted for any thing done by virtue or in purſuance of this act,

General iſſue.

ſuch perſon or perſons ſhall and may plead the general iſſue, and give this act and the ſpecial matter in evidence, in his or their defence or defences; and if afterwards a verdict ſhall paſs for the defendant or defendants, or the plaintiff or plaintiffs ſhall diſcontinue his, her, or their action or actions, or be nonſuited, or judgment ſhall be given againſt him, her, or them, upon

Treble coſts.

demurrer, or otherwiſe; then ſuch defendant or defendants ſhall have treble coſts awarded to him, her, or them, againſt ſuch plaintiff or plaintiffs.

CAP.

CAP. XV.

An act for the better ſupplying the cities of London *and* Weſtminſter *with fiſh, and to reduce the preſent exorbitant price thereof; and to protect and encourage fiſhermen.*

Preamble.

WHEREAS *the better ſupplying the cities of* London *and* Weſtminſter *with fiſh, and encouraging fiſhermen, and others, to employ themſelves in fiſhing on the ſea coaſts, and in the navigable rivers of* Great Britain, *will tend to reduce the preſent exorbitant price of fiſh: may it therefore pleaſe your Majeſty that it may be enacted; and* be it enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That from and after the paſſing of this act, it ſhall be lawful for any perſon, although not brought up in the trade of a fiſhmonger, to buy (ſubject to, and under, the reſtrictions herein after contained) at any market, ſea coaſt, creek, port, haven, bank of any river, or place, in *Great Britain*, any fiſh in ſeaſon, which ſhall not be unſizeable, or under the dimenſions of the ſame reſpectively, by the laws now in force, are allowed to be ſent to the city of *London*, paying the uſual and accuſtomed dues at the places where any ſuch fiſh ſhall be ſo purchaſed; and afterwards to ſell again all ſuch fiſh in public or fixed ſhops, ſtalls, or houſes, in any other market in *Great Britain*, where fiſh or fleſh are or uſually have been ſold, in manner by this act preſcribed, paying only the uſual ſtallage or market dues paid at every ſuch market, without incurring any penalty or forfeiture; any law, ſtatute, cuſtom, or uſage, to the contrary thereof in any wiſe notwithſtanding.

General licence to any perſon, though not a fiſhmonger, to buy at any market, ſea-coaſt, or river, &c. any fiſh in ſeaſon, and ſizeable; paying the accuſtomed dues at the place of purchaſe; and to ſell the ſame again in any fiſh or fleſh market, paying the uſual market dues;

II. Provided always, and be it enacted by the authority aforeſaid, That nothing herein before contained ſhall extend, or be conſtrued or taken to extend, to permit, impower, or authorize, any perſon or perſons to ſell, or expoſe to or for ſale, any fiſh in *Covent Garden* market, or in any of the precincts thereof, in the county of *Middleſex*.

Covent Garden market, and the precincts thereof, excepted.

III. And be it further enacted by the authority aforeſaid, That no fiſh allowed to be bought as aforeſaid, ſhall be ſold again by the firſt purchaſer thereof, or any of his or her agents or ſervants, before ſuch fiſh ſhall have been conveyed by land carriage, or otherwiſe, to the cities of *London* or *Weſtminſter*, or ſuch other places in *Great Britain*, as the proprietor or proprietors thereof ſhall think fit, from time to time, to conſign the ſame to; under pain that every one who ſhall offend in the premiſſes ſhall, for every ſuch offence, forfeit and pay the ſum of twenty pounds, to be recovered and applied in manner herein after mentioned.

Such fiſh not to be reſold by the firſt purchaſer, before the ſame ſhall be brought to London or Weſtminſter, or to where conſigned, under penalty of 20 l.

IV. And be it further enacted by the authority aforeſaid, That all ſuch fiſh, allowed to be purchaſed as aforeſaid, ſhall be permitted

and to be conveyed to the places conſigned, without being liable to be ſtopped, and expoſed to ſale on the way.

ted to be, from time to time, ſent and conveyed to the place or places to which the proprietor or proprietors thereof ſhall think fit to conſign the ſame, without being ſubject or liable to be ſtopped, in any city, market town, or place, in order to be ſold or expoſed to ſale there, under pretence of any cuſtom or uſage whatſoever.

Carriages employed in the ſervice are to carry fiſh only,

and to be marked on the outſide, *Fiſh Machine Only*;

V. And, for the more expeditious conveyance of fiſh by land carriage, be it alſo enacted by the authority aforeſaid, That every carriage which ſhall be uſed for the conveyance of ſuch fiſh as aforeſaid, ſhall only carry fiſh, allowed to be bought as aforeſaid, therein, with the neceſſary package and implements which ſhall belong to ſuch carriage; and ſhall be marked on the outſide *Fiſh Machine Only*; and ſhall have the name or names, and place or places of abode, of the reſpective owner or owners thereof, entered at the office of the commiſſioners for licenſing hackney coaches; and for every ſuch entry, only one ſhilling ſhall be paid to the clerk there; and the ſaid commiſſioners are hereby required to receive every ſuch reſpective entry, and to cauſe the ſame to be regiſtered in the ſaid office;

and are to be entered at the office for licenſing hackney coaches, paying 1s. for the regiſtering;

and afterwards the reſpective number of every ſuch reſpective carriage ſhall be marked on ſome conſpicuous part of the outſide thereof, in large figures, painted, or elſe ſhall be put on lead or other metal, and ſhall be fixed in the front, or on one of the ſhafts, or ſome other conſpicuous part of every ſuch reſpective carriage;

and numbered, on penalty of 40s.

and that no fiſh carriage ſhall be deemed or taken to be a common ſtage waggon, wain, or cart: and if any one ſhall neglect to comply with and perform what is herein before directed, touching the marking, regiſtering, numbering, and keeping the number of every ſuch reſpective carriage on ſome part thereof, and ſhall be convicted of any ſuch neglect, in manner herein after-mentioned, he ſhall forfeit and pay, for every ſuch neglect, the ſum of forty ſhillings; to be levied, recovered, and applied, as herein after is directed.

and are not liable to be deemed common ſtage waggons, &c.

VI. And be it further enacted by the authority aforeſaid, That every ſuch fiſh carriage numbered and marked as aforeſaid, ſhall be permitted to travel, paſs, or be drawn on any turnpike road, by any number of horſes in pairs not exceeding four, or by any ſingle horſe, or by any number of horſes at length not exceeding three, although the fellies of the wheels of any ſuch fiſh carriage ſhall not be of the breadth or gauge of nine inches from ſide to ſide; and that every ſuch fiſh carriage ſhall only pay the like toll, at every turnpike-gate or bar through which every ſuch fiſh carriage ſhall paſs, as poſt chaiſes, or other chaiſes, drawn by a like number of horſes, or by a ſingle horſe, by the laws now in force, are ſubject and liable to pay there.

They ſhall be permitted to travel with 4 horſes in pairs, or with 1 horſe; or 3 horſes in length; tho' with narrow wheels;

and ſhall only pay the like toll as poſt-chaiſes, &c. drawn by a like number of horſes;

VII. And be it alſo enacted by the authority aforeſaid, That every ſuch fiſh carriage as aforeſaid ſhall be allowed to travel, paſs, and be drawn, on ſundays and holydays, on any road, whether laden or returning empty; and that the horſe or horſes which ſhall return from drawing any ſuch fiſh carriage, although rode on by any driver of any ſuch fiſh carriage, or drawing back any empty

and ſhall be allowed to travel on ſundays and holydays;

as ſhall alſo the returned horſes of ſuch carriages;

empty fiſh carriage, ſhall alſo be allowed to paſs on ſundays and holydays on any road, without any driver of any ſuch fiſh carriage, or the rider on any ſuch horſe as aforeſaid, incurring any penalty for ſo travelling therewith.

and neither carriages or horſes, if returning empty, ſhall be liable to pay toll;

VIII. Provided always, and be it enacted by the authority aforeſaid, That no toll ſhall at any time be paid for any ſuch fiſh carriage returning without fiſh, or for any horſe or horſes which ſhall draw the ſame back empty, for paſſing on any turnpike-road, or through any turnpike-gate or bar, or for any horſe or horſes returning from drawing any ſuch fiſh carriage laden as aforeſaid, although ſuch horſe or horſes, or any of them, ſhall be rode on by any driver of any ſuch fiſh carriage, and although ſuch horſe or horſes ſhall not draw back any ſuch empty fiſh carriage.

and if any game, or other thing beſides fiſh, and the neceſſary implements of the carriage, be put therein for conveyance, the perſon putting in the ſame ſhall forfeit 5l.

IX. And be it further enacted by the authority aforeſaid, That if any perſon ſhall put any game, or any other thing except fiſh as aforeſaid, and the baſkets and other neceſſary package in which the ſame ſhall be packed, and the neceſſary implements of every ſuch fiſh carriage, into any ſuch fiſh carriage to be conveyed thereby; every perſon, other than the driver of any ſuch fiſh carriage, who ſhall ſo put any game or other thing than fiſh, and the baſkets and other neceſſary package and implements as aforeſaid, into any ſuch fiſh carriage, and to be thereby conveyed, ſhall, on being convicted thereof in manner herein after mentioned, forfeit and pay for every ſuch offence the ſum of five pounds, to be levied, recovered, and applied, in manner herein after ſpecified: and if the driver of any ſuch fiſh carriage ſhall take up, or ſuffer any paſſenger, game, or other thing except fiſh, and the baſkets and other neceſſary package and implements as aforeſaid, to be at any time carried or conveyed in or by any ſuch fiſh carriage; every driver of every ſuch fiſh carriage, who ſhall ſo offend in the premiſſes, and be thereof convicted in manner herein after mentioned, ſhall, for every ſuch offence, forfeit and pay the ſum of forty ſhillings, to be recovered and applied in manner herein after mentioned: and if, on the conviction of any driver of any ſuch fiſh carriage, the ſum forfeited ſhall not be forthwith paid, the juſtice or juſtices before whom any ſuch driver of any ſuch fiſh carriage ſhall be convicted, ſhall, by warrant under his hand and ſeal, or their hands and ſeals, commit every ſuch driver of any ſuch fiſh carriage, who ſhall be ſo as aforeſaid convicted, to the houſe of correction of the county, city, or place, in which the offence for which any ſuch driver was convicted, or where any ſuch driver ſhall be apprehended, there to remain and be kept to hard labour for any time not exceeding one month, as any juſtice or juſtices ſhall order, unleſs the money forfeited ſhall be ſooner pa d.

and if the driver ſhall take up, or ſuffer any paſſenger, game, or other thing, to be carried therein, he ſhall forfeit 40s.

and on non-payment, ſhall be committed, and kept to hard labour for any time not exceeding one month.

If bulk ſhall be broke of any fiſh carriage conſigned for the Lon-

X. And be it further enacted by the authority aforeſaid, That if the owner or any other perſon who ſhall have the care or conduct of any ſuch fiſh carriage as aforeſaid, which after the paſſing this act ſhall be loaded with fiſh as aforeſaid, and conſigned

don markets, &c. before being brought within the bills of mortality,

or ſale made of the fiſh before they are expoſed in the ſaid markets,

the offender ſhall forfeit 10l.

ſigned for the ſupply of the cities of *London* or *Weſtminſter*, ſhall break bulk before the ſame ſhall have been brought within the weekly bills of mortality, or ſell, or expoſe to ſale, any of the fiſh which ſhall be loaded in any ſuch fiſh carriage, before the ſame ſhall have been brought to the cities of *London* or *Weſtminſter*, or within the weekly bills of mortality, and expoſed there to or for ſale in manner herein after directed, he, ſhe, or they, who ſhall ſo offend in the premiſſes, ſhall, on being thereof convicted in manner herein after mentioned, forfeit and pay for every ſuch offence the ſum of ten pounds, to be levied, recovered, and applied, in manner herein after mentioned.

The fiſh, after being ſo brought up, is to be forthwith ſorted, and expoſed to ſale in ſome public market the next morning, Sundays excepted;

and until ſuch fiſh is ſo expoſed, no part thereof is to be ſold by retail, on penalty of 10l.

but mackrell brought up by ſuch carriages may be ſold on Sundays.

XI. And be it alſo enacted by the authority aforeſaid, That all fiſh as aforeſaid which ſhall be brought by land carriage to the cities of *London* or *Weſtminſter*, or to any other place within the weekly bills of mortality, ſhall, with all convenient ſpeed after the ſame ſhall be ſo brought there, be ſorted, and, the next morning at fartheſt after the ſame ſhall be ſo brought there, ſhall be openly and publicly offered and expoſed to ſale in ſome public market or markets within the weekly bills of mortality (except ſuch next day ſhall happen to be a *Sunday*, and in ſuch caſe, then on *Monday* morning next following) and that, until ſuch fiſh as aforeſaid ſhall be ſo expoſed to ſale in ſome public market or markets as aforeſaid, no part thereof ſhall be ſold, or offered to or for ſale, by retail, upon pain that every perſon who ſhall offend in the premiſſes, and ſhall be thereof convicted in manner herein after-mentioned, ſhall forfeit and pay, for every ſuch offence, the ſum of ten pounds, to be levied, recovered, and applied, in manner herein after-mentioned.

XII. Provided always, and be it enacted, That nothing in this act contained ſhall be conſtrued to prohibit the ſelling any mackrell, which ſhall be brought by any ſuch fiſh carriage as aforeſaid, before or after divine ſervice on a *Sunday*.

All contracts made for fiſh, except for ſalmon and lobſters, are vacated after 1 May, 1762,

and the parties diſcharged from the penalties of their contracts;

and perſons contracting after the ſaid time for buying up fiſh, other than ſalmon and lobſters, before the ſame

XIII. And be it likewiſe enacted by the authority aforeſaid, That all contracts made by or with any perſon or perſons for any fiſh, except ſalmon and lobſters, from and after the firſt day of *May*, one thouſand ſeven hundred and ſixty-two, ſhall be, and are hereby declared to be, void, ſo far as the ſame ſhall relate to, or be intended to take effect at any time ſubſequent to, the ſaid firſt day of *May*, one thouſand ſeven hundred and ſixty-two; and the party and parties to every ſuch contract and contracts is and are hereby reſpectively diſcharged from all penalties and forfeitures he or they may incur by reaſon of the non-performance of any ſuch contract or contracts: and if, from and after the ſaid firſt day of *May*, one thouſand ſeven hundred and ſixty-two, any perſon or perſons ſhall enter into or make any contract or contracts for buying up any fiſh, except ſalmon and lobſters, before the ſame ſhall be firſt brought to an open market, or ſome uſual place for the ſale of fiſh, and before the ſame ſhall be there expoſed in the ordinary manner, and for the uſual time fiſh ſhall be there expoſed for public ſale, every ſuch contract and contracts is and are hereby declared to

be

be abſolutely void, and every party thereto ſhall forfeit and pay, for every ſuch contract which he or ſhe ſhall be a party to, or concerned in, on being convicted thereof in manner herein after-mentioned, the ſum of fifty pounds, to be recovered, levied, and applied, in manner herein after-mentioned.

ſhall be firſt brought to market, and duly expoſed to ſale there, forfeit 50l. and the contract is declared void:

XIV. Provided always, and be it alſo enacted by the authority aforeſaid, That after the ſaid firſt day of *May*, one thouſand ſeven hundred and ſixty-two, no contract or agreement which ſhall be made or entered into for the buying of any ſalmon or lobſters which ſhall be taken in any river, or in any of the ſeas, or on any of the ſea coaſts of *Great Britain*, ſhall be or continue in force for any longer time than for one year, to be computed from the date of every ſuch reſpective contract or agreement which ſhall be entered into in writing; and if not entered into in writing, then only for one year, to be computed from the time of the making or entering into every ſuch paroll contract or agreement reſpectively.

And after 1 May, 1762, no contract for Britiſh ſalmon and lobſters ſhall be in force longer than 1 year; and the like rule is to take place with reſpect to any paroll contracts.

XV. And be it likewiſe enacted by the authority aforeſaid, That no perſon or perſons ſhall, at any time after the ſaid firſt day of *May*, one thouſand ſeven hundred and ſixty-two, employ, or be employed by, any other perſon or perſons in buying, or to buy, in or at any market in the city of *London*, or in the city of *Weſtminſter*, or elſewhere within the weekly bills of mortality, any fiſh which ſhall be brought there to be ſold, to be divided by lots or in ſhares amongſt any fiſhmongers or other perſons, in order to be afterwards put to ſale again, or ſold by retail; nor ſhall any fiſhmonger or other perſon at any time after the ſaid firſt day of *May*, one thouſand ſeven hundred and ſixty-two, buy in any market in *London*, or in the ſaid city of *Weſtminſter*, or elſewhere within the weekly bills of mortality, any fiſh, but what ſhall be for his own ſale or uſe only, upon pain that every perſon who ſhall be convicted of any ſuch offence, in manner hereby directed, ſhall forfeit and pay the ſum of twenty pounds for every ſuch offence, to be levied, recovered, and applied, in the manner herein after directed.

After 1 May, 1762, no perſon may employ, or be employed in buying at the markets of London or Weſtminſter, &c.

Fiſh brought there for ſale, to be afterwards divided amongſt fiſhmongers, or others, to be ſold;

nor may any perſon buy in the ſaid markets any fiſh but what ſhall be for his own ſale or uſe, on penalty of 20l.

XVI. And be it further enacted by the authority aforeſaid, That if any proprietor of fiſh, or any ſaleſman or perſon intruſted or employed to ſell any fiſh in any public market, ſhall refuſe to ſell, or ſhall enter into any agreement or confederacy not to ſell, to or for the uſe of any particular perſon or perſons, any fiſh which ſhall be brought or expoſed to or for ſale at or in any ſuch public market; then, and in every ſuch caſe, every perſon who ſhall ſo offend in the ſaid premiſſes, and ſhall be thereof convicted in the manner by this act directed, ſhall, for every ſuch offence, forfeit and pay the ſum of twenty pounds, to be levied, recovered, and applied, in manner hereby directed.

No ſaleſman or other perſon may refuſe to ſell, or enter into an agreement not to ſell to or for any particular perſon's uſe, any fiſh expoſed to ſale

XVII. And be it further enacted by the authority aforeſaid, That all fiſh of any of the reſpective ſorts herein after ſpecified, which, after the ſaid firſt day of *May*, one thouſand ſeven hundred and ſixty-two, ſhall be brought for ſale to the cities of *London* or *Weſtminſter*, or within the weekly bills of mortality, ſhall be openly and publicly expoſed for ſale at the firſt hand; and

and ſhall be ſold in no greater number or quantity of fiſh in any one lot or parcel, or by any greater weight of fiſh in any one lot or parcel, in *Billingſgate* market, or within one hundred and fifty yards of *Billingſgate* dock, or in any other market within the weekly bills of mortality, than herein after is directed and preſcribed touching the ſame reſpectively; and that every lot or parcel of ſuch fiſh as aforeſaid, ſhall conſiſt only of one ſort of fiſh, and ſhall not be compoſed of two or more different ſorts of fiſh; that is to ſay,

at a public market, on penalty of 20*l*.

And all fiſh of the reſpective ſorts ſpecified in the act, brought after 1 May, 1762, for ſale to the London markets, ſhall be openly ſold at the firſt hand, and in no greater number or quantity in a lot than is preſcribed;

and every lot is to conſiſt of one ſort of fiſh only.

The ſpecies of fiſh, and number and quantity thereof allowed to be ſold in a lot at Billingſgate, or other markets.

All freſh ſalmon, ſturgeon, large freſh cod, ſkait, pike, turbot, bret, bril, pearl, kingſton, ling, and dorys, by the ſingle fiſh; all half freſh cod, not exceeding two in any one lot; all quarter freſh cod, not exceeding four in any one lot; all mullets, cole fiſh, ſalmon trout, and other trout, not exceeding two in any one lot; all ſmall cod, not exceeding twenty-four in any one lot; in *Billingſgate* market, or within one hundred and fifty yards of *Billingſgate* dock; and, in any other market within the weekly bills of mortality, not exceeding eight in any one lot:

All ſmall pike, not exceeding ſix in any one lot, in *Billingſgate* market, or within one hundred and fifty yards of *Billingſgate* dock; and, in any other market within the weekly bills of mortality, not exceeding four in any one lot:

All large haddock, not exceeding four in any one lot, in *Billingſgate* market, or within one hundred and fifty yards of *Billingſgate* dock; and, in any other market within the weekly bills of mortality, not exceeding two in any one lot:

All ſmall haddock, not exceeding twenty-four in any one lot, in *Billingſgate* market, or within one hundred and fifty yards of *Billingſgate* dock; and, in any other market within the weekly bills of mortality, not exceeding eight in any one lot:

All perch, above ſix inches long from the eye to the fork of the tail thereof, not exceeding twelve in any one lot, in *Billingſgate* market, or within one hundred and fifty yards of *Billingſgate* dock; and, in any other market within the weekly bills of mortality, not exceeding eight in any one lot:

All carp, gurnet, tench, and ſea baſs, not exceeding ſix in any one lot, in *Billingſgate* market, or within one hundred and fifty yards of *Billingſgate* dock; and, in any other market within the weekly bills of mortality, not exceeding four in any one lot:

All thornbacks, not exceeding two in any one lot, in *Billingſgate* market, or within one hundred and fifty yards of *Billingſgate* dock; and, in any other market within the weekly bills of mortality, not exceeding one in any one lot:

All large ſoals, not exceeding four pair in any one lot, in *Billingſgate* market, or within one hundred and fifty yards of *Billingſgate* dock; and, in any other market within the weekly bills of mortality, not exceeding two pair in any one lot:

All ſmall ſoals, not exceeding eight pair in any one lot, in *Billingſgate* market, or within one hundred and fifty yards of *Billingſgate* dock; and, in any other market within the weekly bills of mortality, not exceeding four pair in any one lot:

All mackrell, whitings, whiting pouts, plaice, dabbs, herrings, pilchards, garb fiſh, flounders, and maids, not exceeding ſixty in any one lot, in *Billingſgate* market, or within one hundred and fifty yards of *Billingſgate* dock; and, in any other market within the weekly bills of mortality, not exceeding thirty in any one lot:

All ſmelts, not exceeding fifty two in any one lot, in *Billingſgate* market, or within one hundred and fifty yards of *Billingſgate* dock; and, in any other market within the weekly bills of mortality, not exceeding twenty ſix in any one lot:

All eels, not exceeding twenty pounds weight in any one lot, in *Billingſgate* market, or within one hundred and fifty yards of *Billingſgate* dock; and, in any other market within the weekly bills of mortality, not exceeding ten pounds weight in any one lot, unleſs any ſingle fiſh ſhall exceed that weight:

All large lobſters and crabs, not exceeding, of either ſort, in any one lot, twenty, in *Billingſgate* market, or within one hundred and fifty yards of *Billingſgate* dock; and, in any other market within the weekly bills of mortality, not exceeding ten of either ſort in any one lot:

All ſmall lobſters and crabs not exceeding, of either ſort, in any one lot, forty, in *Billingſgate* market, or within one hundred and fifty yards of *Billingſgate* dock; and, in any other market within the weekly bills of mortality, not exceeding twenty of either ſort in any one lot:

None of the ſaid ſeveral ſpecies of fiſh may be bought or ſold at the firſt hand in the ſaid markets in a greater number or quantity in a lot, than is preſcribed, nor more than one ſort of fiſh in a lot, be ſold, or offered for ſale, on penalty of 5*l.* But a ſmaller number of any of the ſaid fiſh, than a lot conſiſts of, if it contains more than one; and alſo a leſſer weight of eels than makes one lot, may be ſold or expoſed to ſale in the ſaid markets.

And if any perſon or perſons ſhall ſell or buy any of the fiſh aforeſaid, at the firſt hand, in any market or markets in the city of *London*, or within one hundred and fifty yards of *Billingſgate* dock; or in any market in the city of *Weſtminſter*, or within the weekly bills of mortality, in any lot or parcel, containing any greater number of any ſort of fiſh as aforeſaid in any ſuch lot or parcel, or any greater weight of eels in any lot or parcel, than is herein before directed and appointed to be ſold in any one lot or parcel; or if any one ſhall ſell, or offer for ſale, in any ſuch lot or parcel, more than one ſort of any of the fiſh herein before ſpecified; he, ſhe, or they, who ſhall ſo offend in the premiſſes, and be convicted of any ſuch offence in manner herein after mentioned, ſhall, for every ſuch offence, forfeit and pay the ſum of five pounds, to be levied, recovered, and applied, in manner herein after directed.

XVIII. Provided always, That, notwithſtanding any thing herein before contained, it ſhall be lawful for any perſon to expoſe to or for ſale, and to ſell in *Billingſgate* market, or in any other market within the weekly bills of mortality, any of the ſaid herein before-mentioned reſpective ſorts of fiſh, where more than one is to be contained in any lot, as aforeſaid, in any ſmaller number; or any eels by any leſſer weight than herein before is preſcribed for the ſelling, in any one lot, any of the ſaid reſpective ſorts of fiſh herein before ſpecified.

XIX. And be it further enacted by the authority aforeſaid, That no perſon or perſons, from and after the ſaid firſt day of *May*, one thouſand

No fiſh may be ſold again, or expoſed to

ſale the ſame day, in the ſame market where it was before ſold, on penalty of 10l. but the buyer may ſell the ſame, whilſt ſound and wholeſome, in any other place.

thouſand ſeven hundred and ſixty two, ſhall a ſecond time ſell or expoſe to or for ſale in *Billingſgate* market, or within the ſpace of one hundred and fifty yards from *Billingſgate* dock, or in any other market in the city of *London*, or within the weekly bills of mortality, any fiſh which, in the ſame day, ſhall have been before ſold in the ſame market; but any buyer of fiſh in any of the ſaid markets may ſell the ſame again, whilſt ſound and wholeſome, in any other place or places whatſoever, any law, cuſtom, or uſage, to the contrary thereof in any wiſe notwithſtanding; upon pain that every one who ſhall offend in the premiſſes, and ſhall be thereof convicted in manner hereby preſcribed, ſhall, for every ſuch offence, forfeit and pay the ſum of ten pounds, to be levied, recovered, and applied, in manner herein after mentioned.

Before any fiſh, to be ſold at the firſt hand in any of the ſaid markets, be expoſed to ſale, an account of the ſorts, and quantity of each, in large legible characters, is to be put up at the fiſh ſtand,

the number of flounders, plaice, dabbs, excepted; and alſo of mackrell, maids, herrings, and pilchards; and if any other fiſh of the ſorts mentioned in the act be brought for ſale, before the market of the day is over,

they are likewiſe to be added to the account, before they are expoſed to ſale; and the ſaid accounts are to be kept up, undefaced, till all the fiſh be ſold, or the market be over;

XX. And be it further enacted by the authority aforeſaid, That from and after the ſaid firſt day of *May*, one thouſand ſeven hundred and ſixty two, no perſon ſhall ſell, or expoſe to or for ſale, at the firſt hand, in any market in the cities of *London* or *Weſtminſter*, or within the limits of the weekly bills of mortality, any of the ſeveral ſorts of fiſh herein before ſpecified, before he, ſhe, or they, ſhall have, from time to time, firſt placed or put up, in ſome conſpicuous manner, on or over the form, bench, ſtall, or place, at which he or ſhe ſhall intend to offer or expoſe for ſale, or ſhall offer or expoſe for ſale any of ſuch fiſh in any ſuch market, a true particular or account, and in a large, fair, and legible character, and either wrote or printed, diſtinguiſhing therein the ſeveral ſpecies or ſorts of all ſuch fiſh as aforeſaid, and the quantity of every ſort thereof reſpectively which he, ſhe, or they, ſhall then have, or have been intruſted with or employed to ſell in any ſuch market, except as to the number of flounders, plaice, dabbs, mackrell, maids, herrings, and pilchards, which ſhall be brought to any ſuch market for ſale: and if, at any time of the morning or day in which any ſuch account ſhall have been ſo placed up, and before the market of that day ſhall be ended or over, any other fiſh of the ſpecies or ſorts herein before mentioned, except as before excepted, ſhall be brought or ſent to any ſuch market as aforeſaid to be ſold, the perſon who ſhall be employed or intruſted to ſell the ſame, before he or ſhe ſhall ſell, or offer or expoſe to or for ſale, all or any of ſuch other fiſh, ſhall add a true account or particular thereof to the account before put up, if he or ſhe had before put up any ſuch account, and if not, ſhall put up ſuch account thereof as is herein before directed; and the party or parties hereby directed to put up ſuch account and accounts as aforeſaid, ſhall take care that every ſuch account and accounts ſhall continue up, where the ſame ſhall have been firſt placed, until all the fiſh ſpecified therein ſhall be ſold, or the market of the day ſhall be over or ended, without being defaced or obliterated, upon pain that every one who ſhall neglect to put up any ſuch account, or ſhall not continue up ſuch account as hereby is directed, during the time ſuch account ought to continue up, and ſhall be convicted

in

in manner herein after preſcribed of any ſuch offence, ſhall, for every ſuch offence, forfeit and pay the ſum of five pounds, to be levied, recovered, and applied, in the manner herein after-mentioned; and that every perſon who ſhall be convicted, in manner herein after directed, of wilfully taking down, defacing, obliterating, or altering, or cauſing to be taken down, defaced, obliterated, or altered, any ſuch account hereby directed to be placed up as aforeſaid, at any time whilſt the ſame, according to the intent of this act, ought to continue up, ſhall, for every ſuch laſt-mentioned offence, forfeit and pay the ſum of forty ſhillings, to be levied, recovered, and applied, in manner herein after-mentioned.

on penalty of 5l. or if any perſon before ſuch time ſhall wilfully take down, deface, or alter, the accounts ſo put up, or cauſe the ſame to be done, he forfeits 40s.

XXI. And be it further enacted by the authority aforeſaid, That no fiſherman, mariner, or other perſon, who ſhall be employed on board any fiſhing ſhip, ſloop, ſmack, veſſel, or boat, ſhall, after her arrival from fiſhing, wilfully deſtroy, or throw or caſt away any fiſh, which any ſuch fiſhing ſhip, ſloop, ſmack, veſſel, or boat, ſhall have brought from ſea, or caught in any navigable river, that is not unwholeſome, periſhed, or unmarketable, except ſprats, which ſhall remain unſold when the market, to which the ſame ſhall be ſent for ſale, ſhall be ended; and if any ſuch fiſherman, mariner, or other perſon, ſhall offend in the premiſſes, and be thereof convicted in manner herein after preſcribed, every ſuch fiſherman, mariner, or other perſon, who ſhall be ſo convicted, ſhall be committed to the houſe of correction of the county, city, or place, in which any ſuch offender ſhall be convicted or apprehended, there to remain and be kept to hard labour for any time not exceeding two months, nor leſs than one week, as the juſtice or juſtices, before whom any ſuch offender ſhall be convicted, ſhall order.

No fiſherman, &c. after the arrival of his veſſel from fiſhing, may deſtroy, or caſt away, any of the fiſh, not being unwholeſome, periſhed, or unmarketable, remaining unſold after market is over; on penalty of being committed, and kept to hard labour for any time not exceeding 2 months, nor leſs than 1 week.

XXII. And be it alſo enacted by the authority aforeſaid, That from and after the paſſing of this act, all and every the perſon and perſons within the four degrees or deſcriptions herein after ſpecified, who ſhall be employed in the fiſheries of theſe kingdoms, ſhall be freed and exempted from being impreſſed into the ſervice of his Majeſty, his heirs, or ſucceſſors, other than and except in the caſes herein after excepted; that is to ſay, firſt, every maſter who ſhall have the care or conduct of any fiſhing ſhip, ſloop, ſmack, veſſel, or boat, which ſhall be employed in the fiſhery on any of the ſea coaſts of *Great Britain*, or in any of the navigable rivers within *Great Britain*; and who, or ſome owner of which fiſhing ſhip, ſloop, ſmack, veſſel, or boat, ſhall have, or within ſix calendar months before the applying for any protection, as herein after is allowed, ſhall have had, one or more apprentice or apprentices, under the age of ſixteen years each, bound to him, or to any ſuch owner as aforeſaid, for a term not leſs than five years; and which apprentice or apprentices, in purſuance of ſuch binding, actually ſhall be, or have been, in the ſervice of ſuch maſter,

All perſons coming under the four following deſcriptions, employed in the fiſheries of theſe kingdoms, are exempted from being impreſſed into the King's ſervice viz. 1ſt, maſters of fiſhing veſſels, who, either themſelves or their owners, have, or within 6 months before applying for a protection, ſhall have had, one or more apprentices, under 16 years of age, bound for 5 years, and employed in the buſineſs of fiſhing; 2dly, all ſuch apprentices, not exceeding 4 to every ——

maſter or owner, in the buſineſs of a fiſherman: ſecondly, every ſuch apprentice, not exceeding the number of four apprentices to every ſuch maſter or owner as aforeſaid of any fiſhing ſhip, ſloop, ſmack, or veſſel, of or above the burthen of thirty tuns; and not exceeding the number of two apprentices to every ſuch maſter or owner as aforeſaid, of any fiſhing ſhip, ſloop, ſmack, veſſel, or boat, under the ſaid burthen of thirty tuns, during the time every ſuch reſpective apprentice as aforeſaid ſhall continue as an apprentice in the actual ſervice of ſuch his maſter only, or of his repreſentatives or aſſigns, in the buſineſs of a fiſherman, and in no other ſervice, and until the reſpective age of twenty years of every ſuch apprentice who ſhall ſo long continue in the fiſhing trade: thirdly, one mariner, beſides the maſter and his apprentice or apprentices as aforeſaid, who ſhall be employed to navigate or fiſh, in any fiſhing ſhip, ſloop, ſmack, or veſſel, of the burthen of ten tuns or upwards, on any parts of the ſea coaſts of *Great Britain*, during the time, ſuch mariner ſhall continue and be ſo actually and truly employed in the ſaid fiſhing ſervice: and, fourthly, any landman who ſhall enter on board any ſuch fiſhing ſhip, ſloop, ſmack, or veſſel, of the burthen of ten tuns or upwards, and be actually employed in navigating or fiſhing therein, on any part of the ſea coaſts of *Great Britain*, for and during the ſpace of two years, to be computed from the time of his firſt going to ſea, employed as aforeſaid in any ſuch fiſhing ſhip, ſloop, ſmack, or veſſel, of the burthen of ten tuns or upwards, as aforeſaid, and to the end of any fiſhing voyage he may then be engaged in, and if he ſhall continue and be ſo long really and truly employed in ſuch ſervice.

maſter or owner of a fiſhing veſſel of 30 tuns burthen, or upwards; and 2 to every veſſel under 30 tuns; during the time of their apprenticeſhip, and till the age of 20 years, they continuing for the time in the buſineſs of fiſhing only; 3dly, one mariner, beſides the maſter and apprentices, to every fiſhing veſſel of 10 tuns burthen or upwards, employed on the ſea coaſt, during his continuance in ſuch ſervice; 4thly, any landman entering, and employed on board ſuch veſſel, for 2 years from his firſt going to ſea, and to the end of the voyage then engaged in, if he ſo long continue in ſuch ſervice.

XXIII. And, to ſecure to the ſeveral perſons herein before deſcribed, the benefit intended for them reſpectively by this act, and to puniſh the perſons who ſhall act contrary to the true intent and meaning hereof, be it further enacted by the authority aforeſaid, That on an affidavit ſworn before ſome juſtice or juſtices of the peace, making out that the perſon or perſons named and deſcribed in ſuch affidavit come, or is or are within ſome or one of the deſcriptions herein before ſpecified, and inſerting therein the tunnage of every ſuch fiſhing ſhip, ſloop, ſmack, veſſel, or boat, and the port or place to which ſhe belongs, and the name and deſcription of every ſuch maſter, and the age of every ſuch apprentice, and the term for which every ſuch apprentice ſhall be bound, and the date of his indenture, and the name, age, and deſcription, of every ſuch mariner and landman reſpectively, and the time of every ſuch landman's firſt going to ſea, being offered to the lord high admiral of *Great Britain*, or to the commiſſioners for executing the office of lord high admiral of *Great Britain*, for the time being, or any three or more of them, or left at

On affidavit being made before ſome juſtice, and laid before the admiralty; that the perſons therein named and deſcribed, come within ſome or one of the above deſcriptions, (inſerting the tunnage of the veſſel, and port ſhe belongs to; the name and deſcription of the maſter, the age of every ſuch apprentice, and term he is bound for, with the date of his indenture; and the name, age, and deſcription of every ſuch mariner and landman, with the time of ſuch landman's firſt going to ſea) ——

at the office of admiralty, the ſaid lord high admiral, or commiſſioners of the admiralty for the time being, is and are hereby directed and required, with all convenient ſpeed after every ſuch affidavit ſhall be tendered to him or them, or left at the admiralty office (unleſs he or they ſhall have reaſonable cauſe to ſuſpect the truth of any ſuch affidavit, and in every ſuch caſe he and they is and are hereby directed to cauſe inquiry to be made into the truth of the matters contained in every ſuch affidavit) from time to time, to grant a ſeparate protection to every ſuch perſon as aforeſaid reſpectively, during the time he is allowed by this act to be protected, and without any fee or reward to be paid or taken for the ſame; and every perſon who ſhall be impreſſed contrary to the intent of this act, ſhall, on producing the protection which ſhall have been granted to him in purſuance of this act to the commanding officer, who ſhall have in his cuſtody, or under his care, any ſuch impreſſed perſon as aforeſaid, be forthwith diſcharged and releaſed by ſuch commanding officer.

the admiralty ſhall thereupon, unleſs they ſuſpect the truth of ſuch affidavit, (which in ſuch caſe they are directed to enquire into) grant, without any fee, a ſeparate protection to every ſuch perſon; on producing whereof, they are to be forthwith releaſed, if impreſſed.

XXIV. And be it further enacted by the authority aforeſaid, That if, during the continuance of any protection which ſhall be granted under this act, any perſon who ſhall be thereby protected ſhall be impreſſed to ſerve his Majeſty, his heirs, or ſucceſſors, other than and except in the caſe of an actual invaſion of theſe kingdoms, or imminent danger thereof, and ſignified by ſome order of his Majeſty, or his heirs, or of his or their privy council, to the lord high admiral, or to the commiſſioners for executing the office of lord high admiral of *Great Britain* for the time being; and on producing the protection which ſhall have been ſo granted to him, to the commanding officer of the party or gang who ſhall impreſs any ſuch perſon protected as aforeſaid; or if offering to produce the ſame for the inſpection of ſuch the commanding officer, any ſuch commanding officer ſhall refuſe or neglect to ſee or examine ſuch protection, or ſhall detain the ſame protection from the party intituled thereto, and ſhall not forthwith diſcharge the party who ſhall be ſo impreſſed; or if the party ſo impreſſed ſhall be carried on board any ſhip or veſſel of or in the ſervice of his Majeſty, his heirs, or ſucceſſors, and the captain, or any officer, who ſhall have the command on board any ſuch ſhip or veſſel of or in the ſervice of his Majeſty, his heirs, or ſucceſſors, ſhall not, on any ſuch protection granted as aforeſaid being produced or tendered to him; or if ſuch protection ſhall have been taken away from the party to whom it was ſo granted, at or after his having been ſo impreſſed, then, if on an affidavit being made before ſome juſtice or juſtices, of the peace that ſuch protection was ſo granted, and continues in force, and was taken away from the party to whom the ſame was ſo granted, either at or after the time he was impreſſed, and being tendered to the captain or officer who ſhall have the command on board any

If any ſuch protected perſon ſhall be impreſſed, except in the caſe of invaſion, or imminent danger thereof, and on producing, or offering to produce, his protection, the commanding officer ſhall not examine, or ſhall withhold ſuch protection, and not releaſe him; or if, being carried on board any of the King's ſhips, the commanding officer there ſhall not diſcharge him on ſuch protection being produced; or if taken away from him, on tendering to him an affidavit made

before ſome juſtice, that ſuch protection was granted, and in force, and was taken away, when he was impreſſed; ——

or if any commanding officer, or any of the crew under him ſhall take away, or detain, ſuch protection; the offender, in any of the ſaid caſes, ſhall forfeit 20l. to the party impreſſed, not being an apprentice, and if an apprentice, then to his maſter.

any ſuch ſhip or veſſel as aforeſaid, ſuch captain or officer having the command as aforeſaid, ſhall not forthwith diſcharge the party who ſhall have been ſo impreſſed and brought on ſhipboard as aforeſaid; or if any captain or officer having command as aforeſaid, or any of the crew or company under him, ſhall take away or detain any ſuch protection granted as aforeſaid; then every perſon who, in any of the ſaid caſes, ſhall ſo offend, except in the caſes herein before excepted, ſhall reſpectively forfeit and pay to the party impreſſed, if not an apprentice, and, if an apprentice, then to the reſpective maſter of every ſuch apprentice, the ſum of twenty pounds, to be recovered and levied in like manner as other forfeitures incurred by this act are herein after directed to be recovered and levied.

The maſter or owner of any fiſhing veſſel, knowingly harbouring, &c. a deſerter from the King's ſervice, forfeits 20l.

XXV. And be it further enacted by the authority aforeſaid, That if any maſter or owner of any ſuch fiſhing ſhip, ſloop, ſmack, veſſel, or boat, ſhall knowingly harbour, entertain, or employ, in any ſuch fiſhing ſhip, ſloop, ſmack, veſſel, or boat, any ſeaman or landman, who ſhall have deſerted from his Majeſty's ſervice; every ſuch maſter or owner as aforeſaid, on being convicted of any ſuch offence in manner herein after-mentioned, ſhall, for every ſuch offence, forfeit and pay the ſum of twenty pounds, to be levied, recovered, and applied, in manner herein after ſpecified.

Juſtices are impowered to hear and determine all offences committed againſt this act within their reſpective juriſdictions;

XXVI. And be it further enacted by the authority aforeſaid, That all juſtices of the peace, within their reſpective juriſdictions, ſhall hear and determine all offences committed againſt the true intent of this act; and that all pecuniary penalties and forfeitures inflicted and made payable by this act, whereof the time for payment is not herein before directed, ſhall be paid within twenty four hours after the conviction of the offender, either by his or her confeſſion, or by the oath of one or more credible witneſs or witneſſes; which oath every juſtice, within his reſpective juriſdiction, is hereby authorized and required to adminiſter; and that any juſtice or juſtices, within his or their reſpective juriſdiction, may iſſue a warrant under his hand and ſeal, or their hands and ſeals reſpectively, directed to any peace officer within their reſpective juriſdiction, to levy the ſame by diſtreſs of the goods and chattels of the reſpective perſon and perſons who ſhall be ſo convicted, and which ſhall be found within the juriſdiction of any ſuch juſtice or juſtices; and if, within five days from any ſuch diſtreſs being taken, the money forfeited ſhall not be paid, together with the coſts of ſuch diſtreſs, the goods ſo diſtrained ſhall be appraiſed and ſold, rendering the overplus, if any, after deducting the penalty or forfeiture, and the coſts and charges of the diſtreſs and ſale, to the owner or owners thereof; which charges ſhall be aſcertained by ſome juſtice or juſtices of the county, city, riding, diviſion, or place, in which the offender or offenders ſhall have been convicted; and if ſufficient diſtreſs cannot at any time be found, whereby the money which ſhall be forfeited by any offender or offenders againſt this act (other than the driver of any fiſh carriage as aforeſaid) can be levied

The maſter or owner of any fiſhing veſſel, knowingly harbouring, &c. a deſerter from the King's ſervice, forfeits 20l.

Juſtices are impowered to hear and determine all offences committed againſt this act within their reſpective juriſdictions; and the pecuniary penalties, where the time is not otherwiſe limited, are to be paid in 24 hours; and may be levied by diſtreſs and ſale, together with all charges, as aſcertained by a juſtice;

and for want of ſufficient diſtreſs, (except in the caſe of the driver of a fiſh carriage)

on

on his, her, or their goods and chattels, then, and in every ſuch caſe, on proof thereof upon oath before ſome juſtice or juſtices, within whoſe reſpective juriſdiction any ſuch offender or offenders ſhall reſide or be, ſuch juſtice or juſtices ſhall, on the application of any proſecutor or proſecutors of any ſuch offender or offenders, iſſue a warrant under the hand and ſeal, or hands and ſeals, of any ſuch juſtice or juſtices, directed to ſome peace officer or officers, to apprehend every ſuch offender or offenders, if he, ſhe, or they can be found, and to convey and commit every ſuch offender and offenders to the houſe of correction of the county, city, or place, where any ſuch offender or offenders ſhall be found and apprehended, there to remain and be kept to hard labour for any time not exceeding two months, as any ſuch juſtice or juſtices ſhall order, unleſs the money which ſhall be forfeited by ſuch offender or offenders ſhall be ſooner paid.

the offender, on the application of the proſecutor, ſhall be committed to hard labour, for any time not exceeding 2 months, unleſs the forfeiture be ſooner paid.

Provided always, and it is hereby enacted, That no perſon ſhall ſuffer any puniſhment for any offence committed againſt this act, unleſs the proſecution for the ſame be commenced within three callendar months after ſuch offence committed; and that where any perſon ſhall ſuffer impriſonment, purſuant to this act, for any offence contrary thereto, in default of payment of any penalty hereby impoſed, ſuch perſon ſhall not be liable afterwards to pay ſuch penalty.

Proſecutions to be commenced within 3 months after the offence; and perſons ſuffering impriſonment for any offence, are not liable to pay the penalty.

XXVII. Provided always, and be it enacted by the authority aforeſaid, That if any perſon who ſhall contract for fiſh contrary to the intent of this act, ſhall, before information ſhall be made againſt him for having ſo contracted for the ſame, inform againſt any other party who ſhall have entered into any ſuch contract, and the party or parties who ſhall be ſo informed againſt ſhall afterwards, on any ſuch information, be duly convicted of any ſuch offence in manner herein preſcribed, then, and in every ſuch caſe, the perſon who ſhall have ſo informed againſt and proſecuted to conviction any ſuch other perſon as aforeſaid, ſhall be acquitted and releaſed from all penalty and forfeiture which the party ſo informing had incurred by having entered into, or been a party to, any ſuch contract, and ſhall be intituled to and have one moiety of the penalty which ſhall be forfeited by reaſon of the conviction of the party informed againſt.

Any of the parties concerned in contracting for fiſh, contrary to this act, giving the firſt information againſt, and convicting others, is indemnified himſelf, and intituled to a moiety of the penalty.

XXVIII. And be it further enacted by the authority aforeſaid, That if it ſhall be made out, by the oath of any credible perſon or perſons, to the ſatisfaction of any juſtice or juſtices of the peace, that any one, within the juriſdiction of any ſuch juſtice or juſtices, is likely to give or offer material evidence on behalf of the proſecutor of any offender or offenders againſt the true intent and meaning of this act, or on behalf of the perſon or perſons accuſed, and will not voluntarily appear before ſuch juſtice or juſtices, and be examined, and give his, her, or their, evidence concerning the premiſſes, every ſuch juſtice or juſtices is and are hereby authorized and required to iſſue his or their ſummons, to convene every ſuch witneſs and witneſſes before any ſuch juſtice or juſtices, at ſuch ſeaſonable time as in ſuch ſummons ſhall be

Evidences may be ſummoned, and examined on oath, on behalf of the proſecutor againſt offenders;

and on their nonappearance, without cauſe ſhewn, or refuſal, warrants ſhall be iſſued againſt them;

fixed; and if any perſon ſo ſummoned ſhall neglect or refuſe to appear at the time by ſuch ſummons appointed, and no juſt cauſe ſhall be offered for ſuch neglect or refuſal, then, after proof by oath of ſuch ſummons having been duly ſerved upon the party or parties ſo ſummoned, every ſuch juſtice and juſtices is and are hereby authorized and required to iſſue his or their warrant under his hand and ſeal, or their hands and ſeals, to bring every ſuch witneſs or witneſſes before any ſuch juſtice or juſtices; and, on the appearance of any ſuch witneſs or witneſſes before any ſuch juſtice or juſtices, every ſuch juſtice or juſtices is and are hereby authorized and impowered to examine, upon oath, every ſuch witneſs; and if any ſuch witneſs on his or her appearance, or on being brought before ſuch juſtice or juſtices, ſhall refuſe to be examined, on oath, concerning the premiſſes, without offering any juſt cauſe for ſuch refuſal, any ſuch juſtice or juſtices, within the limits of his or their juriſdiction, may, by warrant under his hand and ſeal, or their hands and ſeals, commit any perſon or perſons ſo refuſing to be examined to the public priſon of the county, riding, diviſion, city, liberty, or place, in which the perſon or perſons ſo refuſing to be examined ſhall be, there to remain for any time not exceeding fourteen days, nor leſs than three days, as any ſuch juſtice or juſtices ſhall direct.

and on their refuſing to be examined,

may be committed for any time not exceeding 14 days, nor leſs than 3.

Offender eſcaping out of the juriſdiction of the juſtice granting a warrant againſt him,

XXIX. And be it alſo enacted by the authority aforeſaid, That in caſe any perſon againſt whom a warrant ſhall be iſſued by any juſtice or juſtices of the peace for any offence againſt this act, ſhall go into, reſide, or be, in any other county, riding, diviſion, city, liberty, town, or place, out of the juriſdiction of the juſtice or juſtices who ſhall have granted any ſuch warrant or warrants as aforeſaid, it ſhall and may be lawful for any juſtice or juſtices of the peace of the county, riding, diviſion, city, liberty, town, or place, into which ſuch offender or offenders againſt this act ſhall go or be, to indorſe his or their name or names on ſuch warrant (proof being firſt made, on oath, of ſuch warrant having been ſigned by ſuch other juſtice or juſtices) and every warrant ſo indorſed ſhall be ſufficient authority to all perſons to execute ſuch warrant in ſuch other county, riding, diviſion, city, liberty, town, or place, out of the juriſdiction of the juſtice or juſtices who firſt granted ſuch warrant; and every ſuch juſtice and juſtices reſpectively, as the caſe ſhall happen, after indorſing any ſuch warrant as aforeſaid, may, on the offender or offenders therein named being apprehended and brought before any ſuch juſtice or juſtices within his or their reſpective juriſdictions, hear and determine the matter of the complaint contained in every ſuch warrant, in the ſame manner as if ſuch complaint had originally aroſe within the juriſdiction of ſuch juſtice or juſtices who ſhall have ſo backed any ſuch warrant; or may direct the offender or offenders to be carried before a juſtice or juſtices within whoſe juriſdiction the offence was committed, there to be dealt with according to law.

the juſtice for the county where he ſhall eſcape to, may back ſuch warrant, proof being made of the original ſigning thereof; and may hear and determine the matter of complaint,

as if it had originally aroſe within his juriſdiction;

or he may return the offender to his original county, to be dealt with according to law.

XXX. And be it further enacted by the authority aforeſaid, That one

one moiety of all money which ſhall be forfeited for any offence which ſhall be committed againſt this act (and not herein otherwiſe appropriated) ſhall, when recovered, go and be paid to the perſon or perſons who ſhall proſecute to conviction any ſuch offender or offenders, and the other moiety thereof ſhall go and be paid to the treaſurer of *Greenwich* hoſpital for the time being, for the benefit of the ſame hoſpital.

One moiety of all forfeitures, not otherwiſe, appropriated ſhall go to the proſecutor, and the other to Greenwich hoſpital.

XXXI. Provided alſo, and be it further enacted, That it ſhall be lawful for any perſon or perſons who ſhall think him, her, or themſelves aggrieved by any order or determination of any juſtice or juſtices of the peace, upon account of any offence committed, or ſuppoſed to be committed, againſt this act, to appeal to the general or quarter ſeſſion of the peace which ſhall be held for the county, city, riding, diviſion, or place, where any ſuch offence ſhall have been committed, next after the conviction of any offender or offenders for any offence committed againſt this act; the perſon or perſons ſo appealing firſt giving ſecurity in double the ſum forfeited, before ſuch juſtice or juſtices, to proſecute ſuch appeal with effect, and to abide by the order or orderswhich ſhall be made on ſuch appeal, and giving eight days notice in writing of his, her, or their intention to appeal, to the party or parties on whoſe proſecution any ſuch conviction ſhall be made, if there ſhall be ſo many days within the time of ſuch conviction and ſuch general or quarter ſeſſion, and, if not, then the party or parties who ſhall deem him, her, or themſelves aggrieved by any ſuch conviction, ſhall and may be at liberty to appeal to the next general or quarter ſeſſion but one which ſhall be held next after any ſuch conviction for the county, city, or place, where any ſuch conviction ſhall be made; and the juſtices in their ſaid general or quarter ſeſſion are hereby authorized and required to hear and determine the matter of every ſuch appeal, and to make ſuch order therein, and to award ſuch coſts, as to them ſhall appear juſt, and to cauſe to be levied, under the order of any ſuch ſeſſion, the coſts which ſhall be awarded, together with ſuch money as any ſuch court of ſeſſion, on the hearing of any ſuch appeal, ſhall adjudge to be forfeited, by diſtreſs and ſale of the goods and chattels of the perſon or perſons who ſhall refuſe to pay ſuch coſts and money forfeited; and if ſufficient goods or chattels of any ſuch offender or offenders cannot be met with to ſatisfy ſuch coſts and money forfeited, then by diſtreſs and ſale of the goods and chattels of the perſon or perſons who ſhall have become ſurety or ſureties as aforeſaid for the party or parties who ſhall have ſo appealed.

Perſons aggrieved by the order or determination of any juſtice, may appeal to the next quarter ſeſſion, giving 8 days notice to the parties, and ſecurity to proſecute ſuch appeal with effect; and if there be not time to give ſuch notice, appeal may then be made to the ſubſequent ſeſſion; and the juſtices are then to determine the ſame, and award coſts; to be levied, together with the money adjudged to be forfeited, by diſtreſs and ſale, on the party, if diſtreſs can be found, and if not, then on his ſecurity.

XXXII. Provided likewiſe, and be it alſo enacted, That no order or proceedings to be made or had by or before any juſtice of the peace in relation to the premiſſes, ſhall be quaſhed or vacated for want of form only; and that the order which ſhall be made in the premiſſes by the juſtices at their general or quarter ſeſſion of the peace as aforeſaid, ſhall be final; and that no proceedings of any ſuch juſtice or juſtices out of ſeſſion, or in their ſaid general or quarter ſeſſion, in purſuance of this act, ſhall be removeable

No order or proceedings of juſtices may be vacated for want of form; or removed by Certiorari, &c.

nor order of the court of ſeſſion be appealed from Limitation of actions.

able by *Certiorari*, letters of advocation or of ſuſpenſion, or otherwiſe.

XXXIII. And be it enacted by the authority aforeſaid, That if any action or ſuit ſhall be brought or commenced againſt any perſon or perſons, for any thing which ſhall be done in purſuance of this act, every ſuch action or ſuit ſhall be brought and commenced within the ſpace of ſix calendar months next after any ſuch cauſe of action ſhall have accrued, and not afterwards; and ſhall be brought, laid, and tried in the county, city, or place, in which the cauſe of action ſhall have ariſen, and not elſewhere; and that the defendant and defendants in every ſuch action and ſuit may plead the general iſſue, and give this act and the ſpecial matter in evidence, at any trial to be had thereupon, and that the ſame was done in purſuance and by the authority of this act: and if the ſame ſhall appear to have been ſo done, or if any ſuch action or ſuit ſhall not be commenced within the time before limited, or ſhall be laid or brought in any other county, city, or place, than where the cauſe of action ſhall have ariſen; then, and in any of ſuch caſes, the jury ſhall find a verdict for the defendant or defendants; and upon ſuch verdict, or if the plaintiff or plaintiffs in any ſuch action or ſuit ſhall become nonſuit, or diſcontinue his, her, or their action, after the defendant or defendants therein ſhall have appeared, or if, on any demurrer, judgment ſhall be given for the defendant or defendants; then, and in any of the ſaid caſes, every ſuch defendant or defendants ſhall have and recover treble coſts, and ſhall be intituled to purſue and take ſuch remedy for recovering of the ſame, as any defendant or defendants hath or have to recover his or their coſts in other caſes by law.

General iſſue.

Treble coſts.

Proviſions in the act touching the ſale or buying of fiſh within the bills of mortality, and penalties for non-obſervance thereof, are extended to the pariſh of Saint Mary le bone in Middleſex.

XXXIV. And be it further enacted by the authority aforeſaid, That all the proviſions and regulations herein before contained and enacted, with reſpect to places within the weekly bills of mortality, touching the ſale or buying of fiſh, and all penalties for the non-obſervance thereof, ſhall extend, and be conſtrued to extend, to the pariſh of Saint *Mary le bone* in the ſaid county of *Middleſex*, and ſhall in like manner to all intents and purpoſes take place, and be in force, with reſpect to the ſaid pariſh of Saint *Mary le bone*.

The prohibitory clauſes in this act againſt contracts, are not to extend to thoſe made, or to be made, with regard to ſalt or dried fiſh, oyſters, carp or tench.

XXXV. Provided further, and it is hereby alſo enacted and declared by the authority aforeſaid, That nothing in this act contained ſhall extend, or be conſtrued to extend, to make void any contract already made, or to prevent any contract from being made, after the ſaid firſt day of *May*, one thouſand ſeven hundred and ſixty two, by or with any perſon or perſons, in regard to ſalt or dried fiſh, oyſters, carp, or tench, or any of them.

No information may be received by a juſtice againſt

XXXVI. Provided always, and it is hereby further enacted and declared by the authority aforeſaid, That no juſtice or juſtices of the peace ſhall receive any information againſt any perſon or perſons, by reaſon of being a party to, or concerned in, any contract for buying up fiſh to be ſold again contrary to the intent of this act; but that all money which ſhall be payable or forfeited

by

by reaſon of any ſuch contract being made or entered into, ſhall be recoverable only, together with double coſts of ſuit, by the perſon who ſhall inform and ſue for the ſame in one of his Majeſty's courts of record at *Weſtminſter*, wherein no eſſoin, wager of law, or protection, ſhall be allowed; and one moiety of the money ſo forfeited, ſhall, when recovered, go and be paid to the treaſurer of *Greenwich* hoſpital for the time being, for the benefit of the ſame hoſpital, and the other moiety thereof to the perſon or perſons who ſhall inform for and recover the ſame.

any perſon, for being concerned in any contract for buying up fiſh to be ſold again contrary to this act; but the penalty for entering into ſuch contract, ſhall be recoverable only, with double coſts, in one of the courts at Weſtminſter; one moiety to go to Greenwich hoſpital, and the other to the proſecutor.

CAP. XVI.

An act for the encouragement of ſeamen, and the more ſpeedy and effectual manning his Majeſty's navy.

WHEREAS *the King of* Spain *has lately been induced, without any provocation on his Majeſty's part, in effect, to declare war againſt his Majeſty; which has neceſſarily engaged his Majeſty in actual war with the ſaid King of* Spain, *in defence of his ſubjects, and the rights and poſſeſſions of his crown: and whereas his Majeſty has been pleaſed to notify the ſame by proclamation, and a public declaration thereof, on the ſecond day of* January, *in the year of our Lord one thouſand ſeven hundred and ſixty two: Now, for the better carrying on the ſaid war with vigour; and for the encouragement of the officers and ſeamen of his Majeſty's ſhips of war, and the officers and ſeamen of all other* Britiſh *ſhips and veſſels, having commiſſions and letters of marque, and for inducing all* Britiſh *ſeamen who may be in any foreign ſervice to return into this kingdom, and become ſerviceable to his Majeſty; and for the more effectual ſecuring and extending the trade of his Majeſty's ſubjects*; be it enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That the flag officers, commanders, and other officers, ſeamen, marines, and ſoldiers, on board every ſhip and veſſel of war in his Majeſty's pay, ſhall have the ſole intereſt and property of and in all and every ſhip, veſſel, goods, and merchandiſes, which they ſhall take, from and after the ſecond day of *January*, one thouſand ſeven hundred and ſixty two, during the continuance of this war againſt *Spain* (being firſt adjudged lawful prize in any of his Majeſty's courts of admiralty in *Great Britain*, or in his Majeſty's plantations in *America*, or elſewhere) to be divided in ſuch proportions, and after ſuch manner, as his Majeſty, his heirs, and ſucceſſors, ſhall think fit to order and direct by proclamation or proclamations hereafter to be iſſued for thoſe purpoſes.

Preamble.

The officers and men on board the King's ſhips, are intituled to the ſole property of ſuch captures of the enemy's veſſels and effects, during the war with Spain, as ſhall be made after 2 Jan. 1762, and be adjudged lawful prize; to be divided among them as his Majeſty, by proclamation, ſhall direct.

II. And be it further enacted by the authority aforeſaid, That any ſhip or ſhips, veſſel or veſſels, arms, ammunition, ſtores of war, goods and merchandiſes whatſoever, with all their furniture, tackle, or apparel, taken, or to be taken, during the preſent

And all veſſels, arms, ammunition, ſtores of war, goods and

merchandizes, taken by private ſhips duly licenſed,

preſent war with *Spain*, by or with any private owner or owners ſhip or veſſel, according to any commiſſion or letter of marque to be granted as herein after is directed by the lord high admiral of *Great Britain*, or the commiſſioners for executing the office of lord high admiral of *Great Britain*, for the time being, or any three or more of them, or any perſon or perſons by him or them impowered and appointed (being firſt adjudged lawful prize in any of his Majeſty's courts of admiralty as aforeſaid) ſhall wholly and entirely belong to, and be divided between and among, the owner and owners of ſuch ſhip or veſſel, and the ſeveral perſons who ſhall be on board the ſame, and be aiding and aſſiſting to the taking thereof, in ſuch ſhare and proportions as ſhall be agreed on with the owner or owners of ſuch ſhip or veſſel as ſhall be the captor thereof, their agents or factors, as the proper goods and chattels of ſuch owner or owners, and the perſons that ſhall be thus intituled thereto by virtue of ſuch agreements among themſelves; and that neither his Majeſty, his heirs, or ſucceſſors, or any admiral, vice admiral, governor, or other perſon commiſſioned by, or claiming under, his Majeſty, his heirs, or ſucceſſors, or any perſon or perſons whatſoever, other than the owner or owners of ſuch ſhip or veſſel being the captain of ſuch prize ſhip or veſſel, arms, ammunnition, ſtores of war, goods, and merchandiſes, and the perſon claiming under him or them, ſhall be intituled to any part or ſhare thereof (except as to the cuſtoms and duties) any cuſtom, ſtatute, or other law, to the contrary notwithſtanding.

being firſt adjudged lawful prize, ſhall belong wholly to the captors and their owners; to be divided as by agreement among themſelves;

paying only the accuſtomable duties.

III. And whereas by an act made in the twenty ninth year of the reign of his late Majeſty King *George* the Second, intituled, *An act for the encouragement of ſeamen, and the more ſpeedy and effectual manning his Majeſty's navy*, ſeveral proviſions and regulations were eſtabliſhed for the better carrying on the ſalutary purpoſes by the ſaid act intended in the proſecution of the war againſt *France:* and whereas by another act made in the thirty ſecond year of his ſaid late Majeſty's reign, intituled, *An act to explain and amend an act made in the twenty ninth year of his preſent Majeſty's reign, intituled*, An act for the encouragement of ſeamen, and the more ſpeedy and effectual manning his Majeſty's navy; *and for the better preventing of piracies and robberies by crews of private ſhips of war*; the ſaid act made in the twenty ninth year of the reign of his ſaid late Majeſty was explained and amended, and ſeveral further proviſions and regulations were eſtabliſhed to continue during the war with *France*; be it therefore enacted by the authority aforeſaid, That the ſeveral regulations and proviſions reſpecting the grant of commiſſions or letters of marque, the perſons acting, and the captures made, under the authority of ſuch commiſſions or letters of marque, and all other clauſes, proviſoes, matters, and things, contained in the ſaid act made in the twenty ninth year of the reign of his ſaid late Majeſty, as the ſame were explained and amended by the ſaid recited act of the thirty ſecond year of his ſaid late Majeſty's reign, and alſo all clauſes, proviſoes, matters,

The proviſions and regulations in act 29 Geo. II.

as explained and amended by act 32 Geo. II.

reſpecting the granting commiſſions, or letters of marque; the perſons acting, and captures made, under authority thereof; and alſo the clauſes and proviſoes in

matters, and things, contained in the ſaid laſt-mentioned act of the thirty ſecond year of the reign of his ſaid late Majeſty, ſhall extend, and be conſtrued and deemed to extend, to the grant of commiſſions or letters of marque to the perſons acting, and the captures made, under the authority of ſuch commiſſions or letters of marque, and all other matters or things whatſoever in reſpect of the ſame, during the continuance of the preſent war with *Spain*, as fully, amply, and effectually, to all intents and purpoſes, as if the ſame regulations, proviſions, clauſes, proviſoes, matters, and things, had been particularly repeated and re-enacted in this act.

the laſt mentioned act; are extended to the grant of commiſſions, or letters of marque, &c. under this act:

IV. And be it further enacted by the authority aforeſaid, That the ſeveral proviſions and regulations reſpecting any prize or bounty monies, contained in an act of the thirty third year of the reign of his late Majeſty King *George* the Second, intituled, *An act for the more effectual ſecuring the payment of ſuch prize and bounty monies as were appropriated to the uſe of* Greenwich hoſpital *by an act made in the twenty ninth year of the reign of his preſent Majeſty, intituled, An act for the encouragement of ſeamen, and the more ſpeedy and effectual manning his Majeſty's navy,* ſhall be in full force with regard to any prizes to be made during the continuance of the preſent war with *Spain*, or any bounty money to be paid in reſpect of ſuch prizes.

And the proviſions and regulations in act 33 Geo. II. reſpecting, prize and bounty monies, are to be in force during the preſent war with Spain.

CAP. XVII.

An act for the relief of the vaſſals of the ſeveral eſtates which are or may be annexed to the crown, by virtue of an act paſſed in the twenty fifth year of the reign of his late Majeſty, and for carrying the purpoſes of the ſaid act more effectually into execution; and for enforcing and carrying into execution ſo much of an act, paſſed in the firſt year of the reign of his preſent Majeſty, as relates to the paying and diſcharging the Wadſetts affecting the eſtate of Lovat.

Preamble reciting clauſes in act 25 Geo. II.

WHEREAS *by an act made in the twenty fifth year of the reign of his late Majeſty King* George *the Second, intituled, An* "*act for annexing certain forfeited eſtates in* Scotland *to the crown unalienably; and for making ſatisfaction to the lawful creditors thereupon; and to eſtabliſh a method for managing the ſame; and applying the rents and profits thereof, for the better civilizing and improving the highlands of* Scotland, *and preventing diſorders there for the future;*" *it is, among other things, enacted, That the lands and heritages which became forfeited to his late Majeſty by the attainder of* Simon *late lord* Lovat; John Drummond, *taking upon himſelf the ſtile or title of lord* John Drummond, *brother to* James Drummond, *taking upon himſelf the title of duke of* Perth; George *late earl of* Cromarty; *and* Archibald Mac Donald, *ſon of* Coll Mac Donald *of* Barriſdale; *and alſo the barony of* Strowan; *and all other lands and hereditaments which formerly belonged to* Alexander Robertſon *of* Strowan, *and became forfeited to the crown, by decree or ſentence of forfeiture paſſed in the parliament of* Scotland *in the*

the year one thouſand ſix hundred and ninety, ſhall, from and after the twenty fifth day of December, *one thouſand ſeven hundred and fifty two, be annexed to the imperial crown of this realm, and ſhall be and remain for ever unalienable from the ſame; and it is thereby enacted, That it ſhall be lawful to and for his Majeſty, his heirs, and ſucceſſors, by commiſſion under the privy ſeal of* Scotland, *to authorize and impower ſuch perſon or perſons as his Majeſty, his heirs, and ſucceſſors, ſhall think fit, from time to time, to be commiſſioners and truſtees for managing the ſaid eſtates, and applying the produce thereof for the ends and purpoſes appointed by the ſaid act: and whereas his late Majeſty, by his commiſſion dated the twentieth of* March, *one thouſand ſeven hundred and fifty five, did authorize and impower the perſons therein mentioned to be truſtees and commiſſioners for managing the ſaid annexed eſtates; and which commiſſion was paſſed under the privy ſeal of* Scotland *the tenth day of* May, *in the ſaid year one thouſand ſeven hundred and fifty five; and his preſent Majeſty, by his commiſſion dated the twenty fifth day of* July, *in the year one thouſand ſeven hundred and ſixty one, did alſo authorize and impower the perſons therein named to be truſtees and commiſſioners for managing the ſaid annexed eſtates; and which commiſſion alſo was paſſed under the privy ſeal of* Scotland *upon the third day of* Auguſt, *in the ſaid year one thouſand ſeven hundred and ſixty one: and whereas there are many ſmall vaſſals, who, before the forfeiture of the ſaid eſtates, held their lands and other heritages of the aforeſaid attainted perſons and their predeceſſors reſpectively, and who now hold the ſame of his Majeſty, his heirs, and ſucceſſors: and whereas it would be a very grievous burden upon the ſaid vaſſals to make up the titles and infeoffments of their ſeveral lands, by precepts from the* Chancery, *or by charters under the great ſeal of* Scotland, *and to be ſubjected to the expences attending the ſame, as required by law in lands holden of the crown;* be it therefore enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That it ſhall and may be lawful to his Majeſty, his heirs, and ſucceſſors, to authorize and impower the commiſſioners and truſtees for managing the ſaid eſtates, named or to be named by his Majeſty, his heirs, and ſucceſſors, in purſuance of the act above recited, to receive reſignations, and grant new charters containing precepts of *Saſine*, and alſo to grant all other charters, precepts of *Clare Conſtat*, and other writings whatſoever, neceſſary or competent for compleating the titles of the foreſaid vaſſals, their heirs, and ſingular ſucceſſors, in their lands and other heritages reſpectively, to be holden feu or blench of his Majeſty, his heirs, and ſucceſſors, in the ſame way and manner as the ſaid lands and heritages are now holden, or may be holden, of his Majeſty; and which charters, precepts of *Saſine*, and precepts of *Clare Conſtat*, to be granted by ſuch commiſſioners and truſtees, are hereby declared to be as valid and effectual to the ſaid vaſſals, their heirs, and ſingular ſucceſſors, for compleating

The King may impower commiſſioners and truſtees nominated for the ſaid forfeited eſtates, to receive reſignations, and grant new charters, &c. for compleating the titles of the vaſſals; and the charters, &c. ſo granted are declared to be valid;

pleating their infeoffments in their lands and heritages aforeſaid, as if the ſaid infeoffments had proceeded upon charters and precepts under the ſeal appointed by the treaty of union to be kept in *Scotland*, in place of the great ſeal, or upon precepts from *Chancery*; any thing in the law and practice of *Scotland* to the contrary notwithſtanding.

and are to be entered on record, before delivery to the vaſſals, who are to pay the uſual compoſitions (to be applied to the purpoſes of the truſt) and moderate fees for expeding the titles.

II. And be it enacted by the authority aforeſaid, That all ſuch charters, precepts of *Saſine*, and precepts of *Clare Conſtat*, to be granted by the ſaid commiſſioners and truſtees, ſhall, before delivery thereof to the vaſſals, be duly entered and recorded in a book to be kept for that purpoſe; and that the ſaid vaſſals, ſhall be liable to pay, and be chargeable with the ſame compoſitions for their entries, as are in uſe to be paid in the court of *Exchequer* by his Majeſty's other vaſſals, to be applied by the ſaid commiſſioners and truſtees for the ſame uſes and purpoſes as the other rents, profits, and caſualties, of the ſaid annexed eſtates, and ſhall further be liable to pay the writer, agent, or other officers of the ſaid commiſſioners and truſtees, employed in expeding the aforeſaid titles, ſuch moderate fees, as the ſaid commiſſioners and truſtees ſhall aſcertain, by a table to be made by them for that purpoſe.

The vaſſals may make up their titles by precepts from the Chancery, or charters under the great ſeal; which ſhall be deemed a freehold qualification, and intitle them to vote in the election of members.

III. Provided always, That it ſhall and may be competent to the vaſſals of the ſaid eſtates, their heirs, and ſingular ſucceſſors, or any of them, if they ſhall think fit, to make up their titles to their reſpective lands, by precepts from the *Chancery*, or charters under the great ſeal, in the ſame way and manner as is competent to the other vaſſals of the crown; and that ſuch titles only, and no other, ſhall be deemed and taken to be a freehold qualification, and to entitle the vaſſals of the ſaid eſtates to be enrolled amongſt the freeholders, and to vote in the election of a member to ſerve in parliament for the county, ſhire, or ſtewartry, where their lands lie; any thing in this act to the contrary notwithſtanding.

Clauſe in act 25 Geo. II. The commiſſioners and truſtees may grant leaſes of woods and mills, with the milln lands uſually let therewith, though the rent exceed 20l. per Ann.

IV. And whereas by the act of the twenty fifth year of his late Majeſty, in part above recited, it is provided, That no perſon ſhall be capable of taking or enjoying, directly or indirectly, any lands or tenements, other than mines and fiſhings, by virtue of any leaſe or leaſes to be granted by the ſaid commiſſioners of greater annual rent than twenty pounds at the utmoſt: and whereas the reaſon for excepting mines and fiſhings from the above proviſoe, does equally apply to woods and mills, be it enacted by the authority aforeſaid, That it ſhall and may be lawful to the commiſſioners and truſtees named, or to be named, by his Majeſty, his heirs, and ſucceſſors, for managing the ſaid eſtates, to grant leaſes of woods and of mills, with the milln lands uſually let with the ſame, for ſuch yearly rent as can be obtained for the ſame, though exceeding twenty pounds ſterling; any thing in the ſaid act to the contrary notwithſtanding.

Recital of clauſes in act 1 Geo. III.

V. And whereas by an act made in the firſt year of his preſent Majeſty's reign, intituled, *An act for enabling his Majeſty to raiſe*

raiſe the ſum of one million for the uſes and purpoſes therein mentioned; and for further appropriating the ſupplies granted in this ſeſſion of parliament; and for exempting any annuities or ſums of money granted or to be granted to the royal family, from payment of taxes; certain aids or ſupplies granted to his Majeſty, are thereby appropriated for and towards the ſeveral uſes and purpoſes therein expreſſed; and particularly it is thereby enacted, That out of all or any of the aids or ſupplies therein mentioned, there ſhall and may be iſſued and applied any ſum or ſums of money not exceeding thirty eight thouſand five hundred and fifty three pounds, twelve ſhillings, and one penny, and three fourths of a penny, upon account, for paying and diſcharging the debts and wadſet ſums, with the neceſſary expences attending the payment of the ſame, claimed and ſuſtained upon the lands and eſtate which became forfeited to the crown by the attainder of *Simon* late lord *Lovat*, or ſo much of the ſaid debts and ſums as ſhall be remaining unſatisfied, according to the ſeveral decrees in that behalf reſpectively made by the lords of ſeſſion in *Scotland*, and purſuant to the act of the twenty fifth year of the reign of his late Majeſty King *George* the Second, above recited; and for the better and more eaſy payment of the ſaid debts and wadſet ſums, it is thereby enacted,

and in act 25 Geo. II.

That it ſhall and may be lawful for the commiſſioners of his Majeſty's treaſury, or any three or more of them, to iſſue, or cauſe to be iſſued, in ſuch proportions as they ſhall think fit, to either or both of the banks of *Scotland*, at *Edinburgh*, a ſum not exceeding thirty eight thouſand five hundred and fifty three pounds, twelve ſhillings, and one penny, three fourths of a penny, to be applied in paying and diſcharging the ſaid debts and ſums, with the neceſſary expence attending the payment of the ſame; and the ſeveral creditors, whoſe claims have been ſuſtained upon the ſaid lands and eſtates as aforeſaid, are thereby directed and required on or before the fifth day of *July*, one thouſand ſeven hundred and ſixty one, to produce, or cauſe to be produced, in his Majeſty's court of exchequer in *Scotland*, the decree or decrees of the court of ſeſſion, ſuſtaining the ſaid claims; and, upon producing of every ſuch decree or decrees, the barons of the ſaid court of exchequer are thereby impowered and required to make out debentures or certificates, under their hands, for the ſeveral ſums of money which ſhall appear to be due by and under the ſaid decrees reſpectively; and the ſeveral ſums contained in the ſaid debentures or certificates, are directed to be paid, at ſight, by the ſaid bank or banks, out of the money aforeſaid, to the perſon or perſons intituled by the ſaid debentures to receive the ſame: provided always, That if the decree or decrees, ſuſtaining the claim or claims of any creditor or creditors aforeſaid, ſhall not be produced in his Majeſty's ſaid court of exchequer, on or before the fifth day of *July*, one thouſand ſeven hundred and ſixty one, as aforeſaid, ſuch claim or claims ſhall not carry any farther intereſt after the ſaid firſt day of *July*, one thouſand ſeven hundred and ſixty one: and whereas, in purſuance of the act laſt above-recited, the ſum of thirty ſeven thouſand

thouſand three hundred and forty eight pounds, nine ſhillings, and five pence, was iſſued by the commiſſioners of his Majeſty's treaſury, and lodged in the royal bank of *Scotland*, at *Edinburgh*, preceding the ſaid fifth day of *July*, one thouſand ſeven hundred and ſixty one, for paying and diſcharging the debts and wadſet ſums aforeſaid, and has, in part, been applied in paying and diſcharging the ſeveral creditors upon the ſaid eſtate, who produced the decrees of the court of ſeſſion, ſuſtaining their ſeveral claims in the ſaid court of exchequer, according to the directions of the aforeſaid ſtatute: and whereas the wadſetters upon the ſaid eſtate whoſe claims have been ſuſtained for their ſeveral wadſet ſums, by decrees of the ſaid court of ſeſſion, are in poſſeſſion and receipt of the rents and profits of the lands wadſetted to them reſpectively, for payment of their ſeveral wadſet ſums, and cannot be removed from that poſſeſſion until their wadſets are redeemed by payment or conſignation of their ſeveral wadſet ſums, according to the order of redemption preſcribed in their ſeveral wadſet rights, whereby the truſtees and commiſſioners for managing the ſaid annexed eſtates, are kept out of the poſſeſſion and receipt of the rents and profits of the ſaid wadſet lands, and, in the mean time, the money provided by parliament, and lodged in the ſaid bank for diſcharging theſe wadſets, remains a dead ſtock bearing no intereſt: and whereas the proſecuting of ſeparate declarators of redemption, and removing againſt each of the ſaid wadſetters, would be attended with great delay, and unneceſſary expence to the public; be it therefore enacted by the authority aforeſaid, That one action of declarator of redemption, containing a concluſion of removing, may be brought before the court of ſeſſion, in the name of his Majeſty's advocate, againſt the whole wadſetters upon the ſaid eſtate, which may and ſhall be ſerved againſt the defendants under the general deſcription of *The wadſetters upon the eſtate of* Lovat, by one edictal citation upon oath, thirty days notice to be affixed on the walls of the inner and outer houſe of the ſaid court of ſeſſion, where the rolls of cauſes in that court are uſually affixed, concluding to have it found and declared, that the lodgement of the ſums aforeſaid in the royal bank at *Edinburgh*, for paying and diſcharging their ſeveral wadſett ſums, is and ſhall be deemed and taken to be a legal and proper conſignation of their ſeveral wadſett ſums, to all intents and purpoſes, as if the order of redemption preſcribed in their ſeveral wadſett rights had been complied with and followed out againſt each of them ſeparately; and that the lands and other heritages wadſetted to them reſpectively, ſhall be held, deemed, and taken to be redeemed, and out quit from them, their heirs, and ſucceſſors reſpectively; and they, and their tenants, ſervants, and other dependants, be removed from the poſſeſſion of the ſaid lands and other heretages wadſetted to them as aforeſaid, at the reſpective terms of removing ſpecified in their ſeveral wadſett rights, and decrees of the court of ſeſſion ſuſtaining their claims, or at ſuch other term or terms as to the ſaid court ſhall ſeem juſt, ſo as that the ſaid com-

One action of declarator of redemption, containing a concluſion of removing, may be brought in the name of the King's advocate, againſt the whole wadſetters upon the eſtate of Lovat, the lodgment of the money in the bank at Edinburgh, for paying off the wadſett ſums, being deemed a legal conſignation thereof; and the lands to be thereupon redeemed, and the occupiers removed,

and the commiſſioners and truſtees, and their tenants, to enter into poſſeſſion: The court to proceed in the ſaid action in a ſummary way.

commiſſioners and truſtees, and their tenants, may have free acceſs to enter to the poſſeſſion of the ſaid wadſett lands in time coming; and the ſaid court of ſeſſion is hereby authorized and required to proceed in the aforeſaid action in a ſummary manner, without abiding the courſe of any roll, and to give the like decree or decrees therein, as would have been competent in law in a ſeparate action of declarator and removing againſt each of the ſaid wadſetters, proceeding upon the order of redemption laid down and preſcribed in their ſeveral wadſet rights.

Wadſetters may compleat their titles, by obtaining charters, &c. from the commiſſioners, paying the uſual fees; And upon compleating the ſame; and granting diſcharges; and producing the ſame to the barons of the Exchequer, with decrees of the court ſuſtaining the claims; the barons ſhall make out debentures for the money due; which ſhall be diſcharges to the bank.

VI. And whereas it may happen that ſome of the ſaid wadſetters may not be duly veſted and ſeiſed in the ſaid wadſett lands, ſo as to be enabled to diſcharge and renounce their wadſett right in a habile and proper manner; be it therefore enacted by the authority aforeſaid, That it ſhall and may be lawful to and for all and every perſon or perſons having right to ſuch wadſetts, and to the decrees of the court of ſeſſion ſuſtaining the ſame, to compleat their titles in the wadſett lands reſpectively, by obtaining charters, precepts of *Clare Conſtat*, or other warrants for infeoffment, from the ſaid commiſſioners and truſtees, in the ſame way and manner, and upon payment of the ſame fees, as by this act is made competent to the vaſſals of the ſaid annexed eſtates.

VII. And be it enacted by the authority aforeſaid, That upon compleating ſuch titles, and granting the proper diſcharges and renounciations of the ſaid wadſett rights, or of any of them, and producing the ſame before the barons of the ſaid court of *Exchequer*, together with the decree or decrees of the court of ſeſſion ſuſtaining the claim or claims of ſuch wadſetter or wadſetters, the barons of the ſaid court of *Exchequer*, or any three or more of them, ſhall, and they are hereby impowered and required, to make out debentures or certificates for the ſeveral ſums of money which ſhall appear to be due by and under the ſaid decrees reſpectively, in the ſame form, and to be iſſued, delivered, and paid, to the ſaid wadſetters, or others in their name, in the ſame way and manner as is provided for, and directed by, the act above recited, with reſpect to the payment of the other creditors upon the ſaid eſtate; and the ſaid debentures or certificates ſhall be to the ſaid royal bank at *Edinburgh* ſufficient diſcharges for ſuch payment.

The proviſions touching the entry of the vaſſals of the ſaid annexed eſtates, ſhall extend to all ſuch other eſtates as are, or may be, annexed to the crown, in purſuance of act 25 Geo. II. &c.

VIII. And be it further enacted by the authority aforeſaid, That the whole proviſions of this act touching the entry of the vaſſals of the annexed eſtates aforeſaid to their reſpective lands and heritages, ſhall extend to the vaſſals of all ſuch other eſtates as now are, or may be, annexed to the imperial crown of this realm, in purſuance of the aforeſaid act of the twenty fifth year of his late Majeſty's reign, from and after the time that ſuch other eſtates ſhall become ſubject to the adminiſtration and management of the commiſſioners and truſtees appointed, or to be appointed, by his Majeſty, his heirs, and ſucceſſors, in purſuance of the ſaid act; and that in all caſes, and ſo often as it ſhall happen, that proviſion ſhall be made by parliament for paying

and

and diſcharging the wadſetts affecting any ſuch other eſtate which now is, or hereafter may be, annexed to the crown in purſuance of the aforeſaid act, the like action againſt the wadſetters of each eſtate reſpectively ſhall be competent to his Majeſty's advocate, and ſhall proceed in the ſame form and manner, and to the ſame effect; and that the like method of compleating the titles of the wadſetters upon ſuch other eſtates, and of renouncing and diſcharging the ſame, ſhall be competent to them, and take place in the ſame form and manner as herein is above provided with reſpect to the wadſetters of the eſtate of *Lovat*.

and the like action ſhall be competent, in like caſes, againſt the wadſetters of ſuch eſtates; and they ſhall have like method of compleating their titles, and of renouncing the ſame.

CAP. XVIII.

An act for rendering more effectual an act made in the twelfth year of the reign of her late Majeſty Queen Anne, *intituled,* An act for providing a publick reward for ſuch perſon or perſons as ſhall diſcover the longitude at ſea, *with regard to the making experiments of propoſals made for diſcovering the longitude.*

WHEREAS *by an act of parliament made in the twelfth year of the reign of her late Majeſty Queen* Anne, *intituled,* "*An act for providing a publick reward for ſuch perſon or perſons as ſhall diſcover the longitude at ſea,*" *the commiſſioners therein named, or any five or more of them, have full power to hear and receive any propoſal or propoſals that ſhall be made to them for diſcovering the ſaid longitude; and in caſe the ſaid commiſſioners, or any five or more of them, ſhall be ſo far ſatisfied of the probability of any ſuch diſcovery, as to think it proper to make experiment thereof, they ſhall certify the ſame, under their hands and ſeals, to the commiſſioners of the navy for the time being, together with the perſons names who are authors of ſuch propoſals; and upon producing ſuch certificate, the ſaid commiſſioners are thereby authorized and required to make out a bill or bills for any ſuch ſum or ſums of money, not exceeding two thouſand pounds, as the ſaid commiſſioners for the diſcovery of the ſaid longitude, or any five or more of them, ſhall think neceſſary, for making the experiments, payable by the treaſurer of the navy; which ſum or ſums the treaſurer of the navy is, by the ſaid act, required to pay immediately to ſuch perſon or perſons as ſhall be appointed by the ſaid commiſſioners to make thoſe experiments, out of any money that ſhall be in his hands unapplied for the uſe of the navy: and whereas, for a due and ſufficient encouragement to any ſuch perſon or perſons as ſhall diſcover a proper method for finding the ſaid longitude, it is likewiſe enacted by the ſaid act, That the firſt author or authors, diſcoverer or diſcoverers, of any ſuch method, his or their executors, adminiſtrators, or aſſigns, ſhall be intituled to, and have, ſuch reward as in the ſaid act is particularly mentioned: and whereas by another act of parliament made in the fourteenth year of the reign of his late Majeſty King* George *the Second, intituled,* "*An act for ſurveying the chief ports and head lands on the coaſts of* "Great Britain *and* Ireland, *and the iſlands and plantations thereto* "*belonging, in order to the more exact determination of the longitude*

Preamble, reciting clauſes in act 12 Anne,

14 Geo. II.

" and latitude thereof," it was enacted, That the ſaid commiſſioners for diſcovering the ſaid longitude, or any five or more of them, ſhould have full power to apply ſuch part of the ſaid ſum of two thouſand pounds, mentioned in the ſaid firſt recited act, as had not then been laid out in experiments, as they ſhould think neceſſary for the making ſuch ſurvey, and determining the longitude and latitude of the chief ports and head lands on the coaſts of Great Britain *and* Ireland, *and the iſlands and plantations thereto belonging; and that ſuch ſum or ſums, part of the ſaid two thouſand pounds, which the ſaid commiſſioners, or any five or more of them, ſhould think neceſſary, ſhould be paid immediately by the treaſurer of the navy, to ſuch perſon or perſons as ſhould be apppointed by the ſaid commiſſioners to make ſuch ſurvey, and determine ſuch longitude and latitude, out of the money that ſhould be in the hands of ſuch treaſurer unapplied for the uſe of the*
and 26 Geo. II. *navy: and whereas by an act made in the twenty ſixth year of the reign of his late Majeſty King* George *the Second, intituled, " An " act to render more effectual an act made in the twelfth year of the " reign of her late Majeſty Queen* Anne, *intituled,* An act for " providing a publick reward for ſuch perſon or perſons as ſhall " diſcover the longitude at ſea," *with regard to the making experiments of propoſals made for diſcovering the longitude, and to enlarge the number of commiſſioners for putting in execution the ſaid act, the further ſum of two thouſand pounds was directed to be applied in ſuch manner as the commiſſioners for the diſcovery of the longitude ſhould think neceſſary, for making further experiments: and whereas the ſaid commiſſioners have, by virtue of the powers veſted in them by the ſaid ſeveral acts before-mentioned, heard and received ſeveral propoſals made to them, at different times, for diſcovering the ſaid longitude, and have, accordingly, certified the ſame, from time to time, to the commiſſioners of the navy for the time being, whereupon bills have been made out for ſeveral ſums of money, amounting, in the whole, to four thouſand pounds; all which reſpective ſums have been paid to ſeveral perſons by the treaſurer of the navy, purſuant to the directions of the ſaid acts of parliament; which the ſaid commiſſioners, for diſcovering the longitude, thought neceſſary for making the ſaid experiments: and whereas by reaſon of the ſeveral payments made by the treaſurer of the navy to the ſeveral perſons as aforeſaid, the ſaid commiſſioners have, by virtue of the ſaid acts of parliament, expended the whole of the ſums thereby granted for the purpoſes aforeſaid: and whereas, from the experiments which have already been made in purſuance of the powers veſted in the ſaid commiſſioners as aforeſaid, there is great reaſon to expect that, by continuing to encourage ingenious perſons to invent and make further improvements and experiments, in order to diſcover the ſaid longitude, ſuch diſcoveries may at length be produced as will effectually anſwer that end, and thereby contribute very much to the advantage of the trade and honour of this kingdom: therefore, for enabling the ſaid commiſſioners to cauſe ſuch further experiments to be made as they ſhall think proper for the purpoſes aforeſaid,* be it enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled,

aſſembled, and by the authority of the ſame, That the ſaid commiſſioners, conſtituted by the ſaid ſeveral acts of parliament before-mentioned for the diſcovery of the longitude at ſea, and for examining, trying, and judging, of all propoſals, experiments, and improvements, relating to the ſame, or any five or more of them, ſhall have full power to hear and receive any propoſal or propoſals that have been, or ſhall hereafter be, made to them for diſcovering the ſaid longitude at ſea; and in caſe the ſaid commiſſioners, or any five or more of them, ſhall be ſo far ſatisfied of the probability of any ſuch propoſal or diſcovery, as to think it proper to make experiment thereof, they ſhall certify the ſame, under their hands and ſeals, to the commiſſioners of the navy for the time being, together with the perſons names who ſhall be the authors of ſuch propoſals; and, upon producing ſuch certificate, the ſaid commiſſioners of the navy are hereby authorized and required to make out a bill or bills for any ſuch ſum or ſums of money, not exceeding two thouſand pounds, as the ſaid commiſſioners for the diſcovery of the ſaid longitude, or any five or more of them, ſhall think neceſſary for making any experiments in purſuance of this act, or any of the ſaid former acts above-mentioned, payable by the treaſurer of the navy; which ſum or ſums the treaſurer of the navy for the time being is hereby required to pay immediately to ſuch perſon or perſons as ſhall be appointed by the commiſſioners for the diſcovery of the ſaid longitude, to make thoſe experiments, out of any money that ſhall be in his the ſaid treaſurer's hands unapplied for the uſe of the navy.

The commiſſioners conſtituted under the recited acts, are impowered to hear and receive propoſals for diſcovering the longitude at ſea; and being ſo far ſatisfied of the probability of any ſuch propoſal, as to think proper to make experiment thereof, they are to certify the ſame, with the authors names, to the commiſſioners of the navy; who are to make out bills thereupon for any ſum or ſums not exceeding 2,000l. as ſhall be thought neceſſary; to be paid by the treaſurer of the navy out of any money in his hands unapplied.

CAP. XIX.

An act for the better preſervation of the game in that part of Great Britain *called* England.

Preamble.

FOR *the better preſervation of the game in this kingdom, may it pleaſe your moſt excellent Majeſty, that it may be enacted*; and be it enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That no perſon or perſons, after the firſt day of *June*, one thouſand ſeven hundred and ſixty two, ſhall, upon any pretence whatſoever, take, kill, deſtroy, carry, ſell, buy, or have in his, her, or their poſſeſſion or uſe, any partridge, between the twelfth day of *February* and the firſt day of *September*, in any year; or any pheaſant, between the firſt day of *February* and the firſt day of *October*, in any year; or any heath fowl, commonly called *Black Game*, between the firſt day of *January* and the twentieth day of *Auguſt*, in any year; or any grouſe, commonly called *Red Game*, between the firſt day of *December* and the twenty fifth day of *July*, in any year.

After 1 June, 1762, no perſon may take, kill, buy, or ſell, or have in his cuſtody, any partridge, between 12 Feb. & 1 Sep. or pheaſant, between 1 Feb. and 1 Oct. or heath fowl, between 1 Jan. and 20 Aug. or grouſe, between 1 Dec. and 25 July, in any year;

II. Provided always, That nothing in this act ſhall extend to any pheaſant which ſhall be taken in the ſeaſon allowed by this act, and kept in any mew or breeding-place.

Pheaſants taken in the proper ſeaſon, and kept in mews, or breeding places, excepted.

This act not to extend to Scotland.

III. Provided alſo, That nothing in this act contained ſhall extend, or be conſtrued to extend, to that part of *Great Britain* called *Scotland*.

Perſons offending in any of the caſes aforeſaid, forfeit 5 l. per bird, to the proſecutor,

IV. And be it further enacted by the authority aforeſaid, That if any perſon or perſons ſhall tranſgreſs this act in any of the aforeſaid caſes, and ſhall be lawfully convicted thereof by the oath of one or more credible witneſs or witneſſes, every ſuch perſon ſhall, for every partridge, pheaſant, heath fowl, or grouſe, ſo taken, killed, deſtroyed, carried, ſold, bought, or found in his, her, or their poſſeſſion or uſe, contrary to the true intent and meaning of this act, forfeit and pay the ſum of five pounds to the perſon or perſons who ſhall inform or ſue for the ſame: and

to be recovered, with full coſts, in any of the courts at Weſtminſter.

it ſhall and may be lawful to and for any perſon or perſons to ſue and proſecute for, and recover, the ſaid penalty of five pounds, with full coſts of ſuit, by action of debt, bill, plaint, or information, in any of his Majeſty's courts of record at *Weſtminſter*; and in ſuch action or ſuit, no eſſoin, wager of law, or more than one imparlance, ſhall be allowed.

Recital of clauſe in act 8 Geo. I.

V. And whereas by an act paſſed in the eighth year of the reign of his late Majeſty King *George* the Firſt, intituled, *An act for the better recovery of the penalties inflicted upon perſons who deſtroy the game*; it was enacted, That whereſoever any perſon ſhall, for any offence to be hereafter committed againſt any law now in being for the better preſervation of the game, be liable or ſubject to any pecuniary penalty or ſum of money, upon conviction before any juſtice or juſtices of the peace, it ſhall and may be lawful for any other perſon whatſoever, either to proceed to recover the ſaid penalty by information and conviction, before a juſtice or juſtices of the peace, in ſuch manner as is in ſuch law contained, or to ſue for the ſame by action of debt, or on the caſe, bill, plaint, or information, in any of his Majeſty's courts of record: and whereas, a moiety or portion of the ſaid pecuniary penalty is, by ſeveral acts of parliament, directed to be applied to and for the uſe of the poor of the pariſh wherein ſuch offence ſhall be committed, by reaſon whereof inhabitants of the ſaid pariſh have been diſallowed to give evidence touching ſuch offences: and whereas ſuits by action of debt, or on the caſe, bill, plaint, or information, are often attended with great coſts and charges to the proſecutor, by means whereof the end or intentions of the ſaid act have been, in a great meaſure, fruſtrated; for remedy whereof, be it enacted by the authority aforeſaid, That from and after the paſſing of this act, it ſhall and may be lawful for any perſon whatſoever, to ſue for and recover the whole of ſuch penalty for his own uſe, by action of debt or on the caſe, bill, plaint, or information, in any of his Majeſty's courts of record at *Weſtminſter*, wherein no eſſoin, wager of law, or more than one imparlance, ſhall be allowed; and wherein the plaintiff, if he recovers, ſhall have his double coſts; and that no part of the ſaid penalty, recovered in any ſuch ſuit or action, ſhall be paid, or applied to or for the uſe of

The whole of the pecuniary penalties under the ſaid act, may be ſued for, and recovered to the ſole uſe of the proſecutor, with double coſts; and no part thereof to go to the uſe of

the

the poor of the pariſh wherein ſuch offence ſhall be committed; any law or uſage to the contrary notwithſtanding. the poor of the pariſh.

VI. Provided always, and be it enacted, That no ſuch action, ſuit, bill, plaint, or information, ſhall be brought or exhibited, but within the ſpace of ſix months next after the matter or thing done, for which the ſame ſhall be commenced or exhibited as aforeſaid. Proſecutions to be within 6 months after the fact committed.

CAP. XX.

An act to explain, amend, and reduce into one act of parliament, the ſeveral laws, now in being, relating to the raiſing and training the militia within that part of Great Britain *called* England.

WHEREAS *a well regulated militia has been found to be of great utility, and is of the utmoſt importance to the internal defence of this country: And whereas the laws now in force for the training and regulating thereof, are in ſome reſpects defective*; be it therefore enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in parliament aſſembled, and by the authority of the ſame, That from and after the paſſing of this act, his Majeſty, his heirs, and ſucceſſors, may and ſhall iſſue forth commiſſions of lieutenancy, for the reſpective counties, ridings, and places, herein after mentioned; and the reſpective lieutenants thereby appointed ſhall have full power and authority, and they are hereby required to call together all ſuch perſons, and to arm and array them at ſuch times, and in ſuch manner, as is herein after expreſſed; and ſuch reſpective lieutenants ſhall, from time to time, conſtitute and appoint ſuch perſons as they ſhall think fit, qualified as is herein after directed, and living within their reſpective counties, ridings, and places, to be their deputy lieutenants; the names of ſuch perſons having been firſt preſented to, and approved by, his Majeſty, his heirs, or ſucceſſors; and ſhall, before the times appointed for holding the third meetings of the deputy lieutenants and juſtices of peace within their reſpective ſubdiviſions, for chooſing by lot the perſons to ſerve in the militia as herein after mentioned, appoint a proper number of colonels, lieutenant colonels, majors, and other officers, alſo qualified as is herein after directed, to train and diſcipline the perſons ſo to be armed and arrayed, according to the rules, orders, and directions herein after provided, and ſhall certify to his Majeſty, his heirs, or ſucceſſors, the names and ranks of ſuch officers, within one month after they ſhall be ſo appointed; and in caſe his Majeſty, his heirs, or ſucceſſors, ſhall, within one month after ſuch certificate laid before his Majeſty, his heirs, or ſucceſſors, ſignify his or their diſapprobation of any perſon to be ſuch officer in the militia, his Majeſty's lieutenant ſhall not grant a commiſſion to ſuch perſon, but ſhall grant commiſſions to ſuch perſons ſo appointed, who ſhall not be diſapproved of by his Majeſty, his heirs, or ſucceſſors, as aforeſaid. Preamble. The King to iſſue forth commiſſions of lieutenancy for the reſpective counties; the lord lieutenants impowered thereupon to aſſemble and arm the militia, and appoint deputy lieutenants, being firſt approved of by his Majeſty; and grant commiſſions to a proper number of officers, before the third meetings of the deputy lieutenants, for chooſing the men by lot: Their names to be certified to his Majeſty within a month after; and if he ſhall ſignify his diſapprobation of any of them, no commiſſion is to be granted to ſuch.

The lord lieutenant being abſent out of Great Britain, the King may authorize the deputy lieutenants to fill up vacant commiſſions.

II. And be it enacted, That when the lieutenant of a county, riding, or place, ſhall be abſent out of the kingdon of *Great Britain*, it ſhall and may be lawful for his Majeſty, his heirs, and ſucceſſors, to authorize and appoint three deputy lieutenants to grant commiſſions to officers ſerving or to ſerve in the militia for ſuch county, riding, or place, upon any vacancy tha ſhall happen during the abſence of the ſaid lieutenants; which commiſſions ſhall be good and valid in like manner as if they had been granted by the lieutenant himſelf.

Commiſſions of lieutenancy, deputations, and other commiſſions already granted, to ſtand good; if the parties be duly qualified.

III. Provided always, and be it enacted, That nothing herein contained, ſhall be conſtrued to vacate any commiſſion of lieutenancy already granted by his Majeſty, nor any deputations granted to deputy lieutenants, nor any commiſſions granted to officers; but that the ſame ſhall continue in full force and vigour, for the purpoſes of this act, ſo as the ſaid deputy lieutenants and officers be qualified as is herein after directed.

Deputation of deputy lieutenants, and officers commiſſions, not vacated by the revocation, &c. of the commiſſion of lieutenancy.

IV. Provided alſo, and be it enacted, That no deputation of any deputy lieutenant, nor any commiſſion of any officer in the militia, already granted or to be granted by any lieutenant for any county, riding, or place reſpectively, ſhall be vacated by reaſon of the revocation, expiration, or diſcontinuance, of the commiſſion by which ſuch reſpective lieutenants were or ſhall be appointed.

Lord lieutenant to have the chief command of the militia of the county.

V. And be it enacted, That his Majeſty's lieutenant of every county, riding, or place, ſhall have the chief command of the militia thereof which ſhall be raiſed by virtue of this act: and

Twenty or more deputy lieutenants to be appointed for every county, if ſo many can be found qualified.

in every county, riding, or place, in *England* (except as is herein after excepted) there ſhall be appointed twenty or more deputy lieutenants, if ſo many perſons qualified as is herein before and after expreſſed, can be therein found; and if twenty perſons ſo qualified cannot be therein found, then there ſhall be appointed ſo many perſons as can be therein found: and each perſon ſo to be appointed a deputy lieutenant or colonel, ſhall be ſeiſed or poſſeſſed, either in law or equity, for his own uſe and benefit, in poſſeſſion of a freehold, copyhold, or cuſtomary eſtate for life, or for ſome greater eſtate, or of an eſtate for ſome long term of years, determinable on one or more life or lives, in manors, meſſuages, lands, tenements, or hereditaments, in *England*, *Wales*, or the town of *Berwick upon Tweed*, of the yearly value of four hundred pounds, or ſhall be heir apparent of ſome perſon who ſhall be, in like manner, ſeiſed or poſſeſſed of a like eſtate as aforeſaid, of the yearly value of eight hundred pounds: and each perſon ſo to be appointed a lieutenant colonel, or major, ſhall be, in like manner, ſeiſed or poſſeſſed of a like eſtate as aforeſaid, of the yearly value of three hundred pounds; or ſhall be heir apparent of ſome perſon who ſhall be, in like manner, ſeiſed or poſſeſſed of a like eſtate as aforeſaid, of the yearly value of ſix hundred pounds: and each perſon ſo to be appointed a captain, ſhall be, in like manner, ſeiſed or poſſeſſed of a like eſtate as aforeſaid, of the yearly value of two hundred pounds; or ſhall be heir apparent of ſome perſon who ſhall be, in like manner, ſeiſed or poſſeſſed

Qualification of a deputy lieutenant and colonel, 400l. per Ann. of a lieutenant colonel and major, 300l. per Ann. of a captain, 200l. per Ann

of

of a like eſtate as aforeſaid, of the yearly value of four hundred pounds; or ſhall be a younger ſon of ſome perſon who ſhall be, or, at the time of his death, was, in like manner, ſeiſed or poſſeſſed of a like eſtate as aforeſaid, of the yearly value of ſix hundred pounds: and that each perſon ſo to be appointed a lieutenant ſhall be, in like manner, ſeiſed or poſſeſſed of a like eſtate as aforeſaid, of the yearly value of one hundred pounds; or ſhall be ſon of ſome perſon who ſhall be, or, at the time of his death, was, in like manner, ſeiſed or poſſeſſed of a like eſtate as aforeſaid, of the yearly value of two hundred pounds: and each perſon ſo to be appointed an enſign, ſhall be, in like manner, ſeiſed or poſſeſſed of a like eſtate as aforeſaid, of the yearly value of twenty pounds; or ſhall be ſon of ſome perſon who ſhall be, or, at the time of his death, was, in like manner, ſeiſed or poſſeſſed of a like eſtate as aforeſaid, of the yearly value of fifty pounds: one moiety of which ſaid eſtates, required as qualifications for each deputy lieutenant, colonel, lieutenant colonel, major, and captain reſpectively, ſhall be ſituate or ariſing within ſuch reſpective county or riding in which he ſhall be appointed to ſerve.

lieutenant, 100l. per Ann. and enſign, 20l. per Ann. A moiety of the eſtates requiſite to their ſeveral qualifications, except thoſe of the ſubaltern officers, to be within the county for which they ſerve.

VI. Provided always, and be it enacted, That for the purpoſes of the reſpective qualifications required by this act, the immediate reverſion or remainder of and in manors, meſſuages, lands, tenements, or hereditaments, which are leaſed for one, two, or three life or lives, or for any term of years determinable upon the death of one, two, or three life or lives, on reſerved rents, and which are to the leſſee or leſſees of the clear yearly value of three hundred pounds, ſhall be deemed equal to an eſtate herein before deſcribed as a qualification of the yearly value of one hundred pounds, and ſo in proportion, be the ſaid qualification of a greater or leſs degree.

What ſhall be deemed equal to an eſtate of 100l. per Ann. and ſo in proportion, requiſite to a qualification.

A leaſehold eſtate originally granted for 20 years, equal in annual value to what is required for the qualification of a deputy lieutenant and commiſſion officer, deemed a ſufficient qualification.

VII. And be it enacted, That a perſon poſſeſſed either in law or equity, for his own uſe and benefit, in poſſeſſion of an eſtate for a certain term originally granted for twenty years, or more, of an annual value, over and above all rents and charges payable out of or in reſpect of the ſame, equal to the annual value of ſuch an eſtate as is required for the qualification of a deputy lieutenant, and commiſſion officer of the militia reſpectively, and ſituate as aforeſaid; ſhall be, and is hereby deemed and declared to be, duly and ſufficiently qualified to act and ſerve under ſuch reſpective commiſſion.

Five or more deputy lieutenants for the counties of Cumberland, Huntingdon, Monmouth, Weſtmoreland, Rutland, and principality of Wales.

VIII. And be it enacted, That in the ſeveral counties of *Cumberland*, *Huntingdon*, *Monmouth*, *Weſtmoreland*, and *Rutland*, and of every county and place in the dominion of *Wales* reſpectively, there ſhall be five or more deputy lieutenants appointed (if ſo many perſons qualified as herein after expreſſed can be therein found) and the eſtates requiſite for the qualification of the reſpective deputy lieutenants and officers of the militia therein, ſhall be as follows; that is to ſay, a deputy lieutenant or colonel ſhall be, in like manner, ſeiſed or poſſeſſed of a like eſtate as aforeſaid, of the yearly value of three hundred pounds; or ſhall be heir apparent of a perſon who ſhall be, in like manner

Qualification of a deputy lieutenant or colonel for thoſe counties, 300l. per Ann.

ner, ſeiſed or poſſeſſed of a like eſtate as aforeſaid, of the yearly value of five hundred pounds: a lieutenant colonel, or major, ſhall be, in like manner, ſeiſed or poſſeſſed of a like eſtate as aforeſaid, of the yearly value of two hundred pounds; or ſhall be heir apparent of a perſon who ſhall be, in like manner, ſeiſed or poſſeſſed of a like eſtate as aforeſaid, of the yearly value of four hundred pounds: a captain ſhall be, in like manner, ſeiſed or poſſeſſed of a like eſtate as aforeſaid, of the yearly value of one hundred and fifty pounds; or ſhall be ſon of a perſon who ſhall be, or, at the time of his death, was, in like manner, ſeiſed or poſſeſſed of a like eſtate as aforeſaid, of the yearly value of three hundred pounds: a lieutenant ſhall be, in like manner, ſeiſed or poſſeſſed of a like eſtate as aforeſaid, of the yearly value of ſeventy pounds; or ſhall be ſon of a perſon who ſhall be, or, at the time of his death, was, in like manner, ſeiſed or poſſeſſed of a like eſtate as aforeſaid, of the yearly value of two hundred pounds: an enſign ſhall be, in like manner, ſeiſed or poſſeſſed of a like eſtate as aforeſaid, of the yearly value of twenty pounds; or ſhall be ſon of a perſon who ſhall be, or, at the time of his death, was, in like manner, ſeiſed or poſſeſſed of a like eſtate as aforeſaid, of the yearly value of fifty pounds: one half of all which reſpective eſtates, except thoſe for the qualifications of lieutenants and enſigns, ſhall be ſituate or ariſing within ſuch reſpective county or riding, in which ſuch officers ſhall be reſpectively appointed to ſerve.

of a lieutenant colonel, 200l. per ann.

captain, 150l. per ann.

lieutenant, 70l. per ann.

and enſign, 20l. per ann.

A moiety of the eſtates requiſite to their ſeveral qualifications, except for lieutenants and enſigns, to be within the county for which they ſerve.

IX. Provided always, That in ſuch counties where twenty perſons cannot be found qualified as aforeſaid, and willing to act as deputy lieutenants, it may and ſhall be lawful for his Majeſty's lieutenant of any ſuch county, and he is hereby required, after having appointed ſo many perſons as can be found qualified as aforeſaid, to appoint ſuch number of perſons to be deputy lieutenants as ſhall be requiſite to make up the number twenty, who ſhall reſpectively be ſeiſed or poſſeſſed of a like eſtate of the yearly value of two hundred pounds, and ſituate as aforeſaid: provided, that the perſons ſo appointed ſhall not make the whole number of deputy lieutenants for the ſaid county to exceed the number of twenty; and every ſuch perſon ſhall be, and is hereby deemed and declared to be, duly and ſufficiently qualified to act and ſerve under ſuch reſpective commiſſion.

In thoſe counties where 20 deputy lieutenants cannot be found duly qualified, and willing to act, ſo many with a qualification of 200l. per ann. may be appointed, as will make up that number. The whole number for ſuch county not to exceed 20.

X. And be it enacted, That the eſtates requiſite for the qualification of the deputy lieutenants and officers of the militia in the iſle of *Ely*, in the county of *Cambridge*, ſhall be as follows; a deputy lieutenant ſhall be ſeiſed or poſſeſſed of a like eſtate as aforeſaid, of the yearly value of two hundred pounds; or ſhall be heir apparent of ſome perſon who ſhall be, in like manner, ſeiſed or poſſeſſed of a like eſtate as aforeſaid, of the yearly value of four hundred pounds: a captain ſhall be, in like manner, ſeiſed or poſſeſſed of a like eſtate as aforeſaid, of the yearly value of one hundred pounds; or ſhall be heir apparent of a perſon who ſhall be, in like manner, ſeiſed or poſſeſſed of a like eſtate as aforeſaid, of the yearly value of two hundred pounds; or ſhall be a younger ſon of ſome perſon who ſhall be, or, at the time of his

Qualification of deputy lieutenants and officers for the iſle of *Ely*, viz. of a deputy lieutenant, 200l. per ann. of a captain, 100l. per ann.

his death, was, in like manner, ſeiſed or poſſeſſed of a like eſtate as aforeſaid, of the yearly value of three hundred pounds: a lieutenant ſhall be, in like manner, ſeiſed or poſſeſſed of a like eſtate as aforeſaid, of the yearly value of fifty pounds; or ſhall be ſon of ſome perſon who ſhall be, or, at the time of his death, was, in like manner, ſeiſed or poſſeſſed of a like eſtate as aforeſaid, of the yearly value of one hundred pounds: an enſign ſhall be, in like manner, ſeiſed or poſſeſſed of a like eſtate as aforeſaid, of the yearly value of twenty pounds; or ſhall be ſon of ſome perſon who ſhall be, or, at the time of his death, was, in like manner, ſeiſed and poſſeſſed of a like eſtate as aforeſaid, of the yearly value of fifty pounds: one half of all which eſtates, except thoſe for the qualifications of lieutenants and enſigns, ſhall be ſituate or ariſing within the ſaid iſle of *Ely*, or ſome other part of the county of *Cambridge*.

lieutenant, 50 l. per ann. and enſign, 20 l. per ann. A moiety of the eſtates requiſite to their ſeveral qualifications, except for lieutenants and enſigns, to be in the iſle of Ely, or Com. Cambridge.

XI. And be it enacted, That in all cities or towns which are counties within themſelves, and have heretofore been impowered, by law or antient uſe, to raiſe and train a ſeparate militia within their ſeveral precincts and liberties, and which are by this act united with, and made part of, any county or counties for the purpoſes of this act only; his Majeſty's lieutenants of ſuch cities or towns, or, where there is no lieutenant appointed by his Majeſty, the chief magiſtrate of ſuch city or town, ſhall appoint five or more deputy lieutenants (if ſo many perſons qualified as is herein after expreſſed can therein be found) and ſhall alſo appoint officers of the militia, whoſe number and rank ſhall be proportionable to the number of militia men which ſuch city or town ſhall raiſe, as their *quota*, towards the militia of the county to which ſuch city or town is, by this act, united for the purpoſes aforeſaid; the qualification of which officers reſpectively ſhall be as is herein after-mentioned; and all powers given, and proviſions made, by this act, with reſpect to counties at large, and the militia thereof, and the regiſtering the qualifications of deputy lieutenants and officers, ſhall take place and be in force with reſpect to the ſaid cities and towns, and the militia thereof, and the regiſtering the ſaid qualifications, except only as to the particulars herein expreſſed and otherwiſe provided for; that is to ſay, after the number of perſons which ſuch city or town is to furniſh to the militia ſhall have been appointed, as is herein after directed, by his Majeſty's lieutenant and the deputy lieutenants, or by the deputy lieutenants of the county at large of the militia whereof the militia of ſuch city or town is, by this act, made a part; any two or more of the deputy lieutenants, within ſuch city or town, ſhall have and exerciſe all the powers conferred by this act on any three deputy lieutenants, or any two deputy lieutenants together with any one juſtice of the peace, or any one deputy lieutenant together with any two juſtices of the peace of any county at large: and the value of the reſpective qualifications of the deputy lieutenants and officers of the militia of ſuch cities or towns, ſhall be as follows; every deputy lieutenant and field officer ſhall reſpectively be ſeiſed or poſſeſſed

Five or more deputy lieutenants to be appointed for ſuch cities and towns as are counties within themſelves;

and officers proportionable to the quota of men.

All powers and proviſions in the act reſpecting counties at large, extended to the ſaid cities and towns; except, that after the number of men they are to furniſh, is appointed, two deputy lieutenants may exerciſe all the powers conferred by the act on 3 deputy lieutenants, &c.

The qualification for ſuch cities and towns, viz. of a deputy lieutenant,

and field officer, 300 l. per ann. of a captain, 150 l. per ann. lieutenant or enſign, 50 l. per ann. A moiety of the eſtates requiſite to their ſeveral qualifications, except for lieutenants and enſigns, to be within the ſame, or the county at large to which they are united; and the militia thereof to join that of the county, and to be exerciſed together with them at the general exerciſe; and when drawn out and embodied, to be deemed part thereof.

poſſeſſed of a like eſtate as aforeſaid, of the yearly value of three hundred pounds; or ſhall be poſſeſſed of a perſonal eſtate alone, or ſeiſed or poſſeſſed of real and perſonal eſtate together, to the amount or value of five thouſand pounds: and the qualification of a captain ſhall be a like eſtate as aforeſaid, of the yearly value of one hundred and fifty pounds, in manors, meſſuages, lands, tenements, or hereditaments, or perſonal eſtate alone, or ſeiſed or poſſeſſed of real and perſonal eſtate together, to the amount or value of two thouſand five hundred pounds: and the qualification of a lieutenant or enſign ſhall be a like eſtate as aforeſaid, of the yearly value of fifty pounds, in manors, meſſuages, lands, tenements, or hereditaments, or perſonal eſtate alone, to the amount or value of ſeven hundred and fifty pounds: one half of all which real eſtates reſpectively (except thoſe for the qualifications of lieutenants and enſigns) ſhall be ſituate or ariſing within ſuch city or town, or within the county at large to which ſuch city or town is, by this act, united for the purpoſes aforeſaid; and his Majeſty's lieutenants and the chief magiſtrates of ſuch cities or towns, being counties in themſelves, reſpectively, ſhall, and they are hereby required to put the powers conferred by this act, for raiſing and training the militia within ſuch cities or towns, into execution; but the militia of ſuch cities and towns as aforeſaid being, by this act, declared to be part of the militia of the counties to which ſuch cities and towns are united for the purpoſes aforeſaid, the militia of ſuch cities or towns ſhall join the militia of the county to which ſuch cities or towns are ſo united for the purpoſes aforeſaid; and the whole militia ſo joined together, ſhall be exerciſed together at the general exerciſe, and ſhall then, and alſo when drawn out and embodied, be deemed the militia of the county to which ſuch cities or towns are united for the purpoſes aforeſaid.

Officers may be promoted for their military merit in time of actual invaſion, or rebellion, though they want a proper qualification; but none to be promoted higher than a captain, who want a qualification for that rank.

XII. And be it enacted, That when any regiment or battalion of militia ſhall be drawn out and embodied, his Majeſty's lieutenant of the county, riding, or place, for which ſuch regiment or battalion ſhall ſerve, may, upon account of military merit ſhewn in time of actual invaſion or actual rebellion, promote any officer therein from a lower to a higher commiſſion, inclu-ſive of that of lieutenant colonel, notwithſtanding he ſhould not have the qualifications requiſite for his firſt admittance into ſuch higher rank in ſuch regiment or battalion: provided, that no perſons not having the qualification herein before directed for a captain, ſhall be promoted to an higher rank than that of captain.

Recited qualifications not to extend to commiſſions granted by the conſtable of the tower, or lieutenant of the tower hamlets.

XIII. And be it enacted, That the qualifications above recited to enable any perſon to be a deputy lieutenant, lieutenant colonel, major, captain, lieutenant, or enſign, ſhall not extend to ſuch commiſſions as ſhall be granted by his Majeſty's conſtable of the tower, or lieutenant of the tower hamlets.

Deputy lieutenants and officers may

XIV. And be it enacted, That his Majeſty, his heirs, and ſucceſſors, ſhall, from time to time, as he and they ſhall think fit, ſignify his and their pleaſure to his and their lieutenants of any

any county, riding, or place, to diſplace all or any ſuch deputy lieutenants and officers; and thereupon his Majeſty's reſpective lieutenants ſhall appoint others within the ſame county, riding, or place, under the like qualifications, to ſerve in their ſtead.

be diſplaced at the King's pleaſure; and others to be appointed in their room.

XV. And be it enacted, That no deputy lieutenant or commiſſion officer in the militia ſhall act as ſuch, until he ſhall have left with the clerk of the peace of the county, riding, or place, in and for which he ſhall be ſo appointed, his qualification in writing, ſigned by himſelf; and ſuch clerk of the peace is hereby required to enter the ſame upon a roll to be kept for that purpoſe: and every deputy lieutenant and commiſſion officer not having already taken and ſubſcribed the oaths, and made, repeated, and ſubſcribed, the declaration, as required by the ſaid former acts relating to the militia, ſhall, at ſome general quarter ſeſſions, or in one of his Majeſty's courts of record at *Weſtminſter*, within ſix months after he ſhall have accepted his commiſſion, take the oaths in and by an act paſſed in the firſt year of the reign of his Majeſty King *George* the Firſt, intituled, *An act for the further ſecurity of his Majeſty's perſon and government, and the ſucceſſion of the crown in the heirs of the late princeſs* Sophia, *being proteſtants, and for extinguiſhing the hopes of the pretended prince of* Wales, *and his open and ſecret abettors*, appointed to be taken, and ſhall alſo make, repeat, and ſubſcribe, the declaration in the ſaid act directed to be made, repeated, and ſubſcribed, by all officers civil and military.

Qualifications to be ſigned, and left with the clerk of the peace to be inrolled, before they preſume to act; and they are to take the oaths appointed by act 1 Geo. I. and make and ſubſcribe the declaration therein appointed.

XVI. And be it enacted, That if any perſon ſhall execute any of the powers hereby conferred on deputy lieutenants, colonels, lieutenant colonels, or majors (not being qualified as aforeſaid) or ſhall not deliver in ſuch qualification, and take the oaths, and make, repeat, and ſubſcribe, the declaration aforeſaid, as is herein before required, every ſuch perſon ſhall forfeit and pay the ſum of two hundred pounds: and if any perſon ſhall execute any of the powers hereby conferred on captains, lieutenants, or enſigns (not being qualified as aforeſaid) and ſhall not deliver in ſuch qualification, and take the oaths, and make, repeat, and ſubſcribe, the declaration aforeſaid, as is herein before required, every ſuch perſon ſhall forfeit and pay the ſum of one hundred pounds: ſuch ſeveral penalties to be recovered by action of debt, bill, plaint, or information, in any of his Majeſty's courts of record at *Weſtminſter*; wherein no eſſoin, wager of law, or protection, or more than one imparlance ſhall be allowed; one moiety whereof ſhall go to the uſe of the perſon who ſhall ſue for the ſame, and the other moiety to the uſes herein after directed.

Deputy lieutenants and other field officers, acting, not being qualified, or not complying with the above regulations, forfeit 200 l. and captains and ſubalterns 100 l. to be recovered in any of the courts at Weſtminſter; one moiety thereof to go to the proſecutor.

XVII. And be it enacted, That in every action, ſuit, or information, brought againſt any perſon for acting as a deputy lieutenant, colonel, lieutenant colonel, major, captain, lieutenant, or enſign, not being qualified as herein before is directed, the proof of his qualification ſhall lie upon the perſon againſt whom the ſame is brought.

Proof of qualification in all ſuits to lie on the defendant.

XVIII. Provided

Peers, and heirs apparent of peers, may be appointed deputy lieutenants or commiſſion officers for the county where they reſide; and their qualification not neceſſary to be left with the clerk of the peace; but on taking the oaths, &c. they may act without being otherwiſe qualified.

XVIII. Provided always, and be it enacted, That nothing in this act contained ſhall extend, or be conſtrued to extend, to reſtrain his Majeſty's lieutenant of any county, riding, or place, from appointing any peer of this realm, or heir apparent of any ſuch peer, to be a deputy lieutenant, or commiſſion officer in the militia, within the county, riding, or place, wherein ſuch peer, or heir apparent of ſuch peer, ſhall reſpectively have ſome place of reſidence; or to oblige any peer of this realm, or heir apparent of ſuch peer (ſo appointed a deputy lieutenant or commiſſion officer reſpectively) to leave with the clerk of the peace for the county, riding, or place, for which he ſhall be appointed, any qualification in writing as aforeſaid; but it ſhall be lawful for every peer of this realm, or heir apparent of ſuch peer, ſo appointed, and taking the oaths, and making, repeating, and ſubſcribing, the declaration aforeſaid, to act as a deputy lieutenant or commiſſion officer reſpectively, although he ſhall not be ſeiſed or poſſeſſed of any ſuch eſtate, in manors, meſſuages, lands, tenements, or hereditaments, as is required by this act.

Acceptance of a commiſſion does not vacate a ſeat in parliament.

XIX. Provided alſo, and be it enacted, That the acceptance of a commiſſion in the militia ſhall not vacate the ſeat of any member returned to ſerve in parliament.

Where the militia is not raiſed, the lord lieutenant is to adverti ſe the want of officers, a month before the quarter ſeſſions at Chriſtmas, and Midſummer, reſpectively; and perſons qualified, and willing to ſerve, are thereupon to return their names, &c.

XX. And be it further enacted by the authority aforeſaid, That in every county where the militia ſhall not be raiſed, the lord lieutenant of ſuch county ſhall, within one month before the general quarter ſeſſions to be held at *Chriſtmas*, and within one month before the general quarter ſeſſions to be held next after *Midſummer*, in every year, cauſe advertiſements to be publiſhed in the *London Gazette*, and the news paper of ſuch county, ſignifying the want of officers; and all perſons qualified to ſerve as officers, and willing ſo to do, ſhall at any time return their names and intention to the lord lieutenant, or, in his abſence, to any general quarter ſeſſions for the county in which they propoſe to ſerve.

Where the militia has not been raiſed in purſuance of the act of 30 Geo. II. and other ſubſequent acts relating thereto, or ſhall not be raiſed in purſuance of this act, 5 l. per man, annually, is to be paid by every ſuch county, &c.

XXI. And whereas in ſeveral counties and places the militia have not been raiſed in ſuch manner as was authorized by an act made in the thirtieth year of the reign of his late Majeſty King *George* the Second, and ſeveral ſubſequent acts, relative to the raiſing of the militia forces, by reaſon that a ſufficient number of perſons, qualified to act as officers in the militia, did not tender themſelves to accept commiſſions in that ſervice; be it therefore enacted by the authority aforeſaid, That in all counties and places where the militia have not been raiſed by virtue and in purſuance of the ſaid former acts, and where it ſhall not be raiſed by virtue and in purſuance of this act, the ſum of five pounds ſhall be annually paid for and in lieu of every private militia man herein mentioned to be raiſed within the ſame; and that his Majeſty's lieutenant of every ſuch county and place reſpectively, or any three or more deputy lieutenants, at the expiration of every year in which the militia for ſuch county and place ſhall not have been raiſed from and after the paſſing of

of this act, ſhall, from year to year, certify the ſame in writing under his or their hands, and alſo the whole amount of the ſeveral ſums of five pounds per man to be raiſed on ſuch county as aforeſaid, to the juſtices of the peace at their general or quarter ſeſſions next held after the full end and accompliſhment of the ſaid year for ſuch reſpective county or place; and the juſtices of the peace, ſo aſſembled at ſuch general or quarter ſeſſions, where ſuch certificate ſhall be produced, ſhall forthwith rate and aſſeſs on the ſaid county the ſum and ſums mentioned in ſuch certificate: and ſuch ſum and ſums ſhall be rated and aſſeſſed in ſuch and the ſame manner, and according to ſuch and the ſame proportions, upon every town, pariſh, and place within the ſaid county, and be collected, received, levied, and paid, and be accounted for by the perſons making ſuch collections, in ſuch manner, and by ſuch means, with ſuch powers of diſtreſs, and other remedies for enforcing the collection and payment thereof, and for puniſhing all perſons whoſe duty it ſhall be to collect or account for the ſame, and ſhall make default therein, as the county rates have been uſually, or may, by an act made in the twelfth year of the reign of his late Majeſty, intituled, *An act for the more eaſy aſſeſſing, collecting, and levying of county rates*, or by any other act or acts of parliament, be aſſeſſed, collected, received, levied, paid, and accounted for, within the ſaid county: and ſuch rates or aſſeſſments, when received, ſhall be from time to time paid by the treaſurer or treaſurers of ſuch counties to the receivers general thereof; and the receipt of ſuch receiver general ſhall be a full and ſufficient diſcharge to ſuch treaſurer or treaſurers for the payment of ſuch monies.

and certificates thereof, and of the ſums thereupon due, are to be returned at the end of the next year to the Q. ſeſſions; and the juſtices are forthwith to rate and aſſeſs the ſums ſo certified, in like manner as county rates,

by act 12 G.II. may be rated and aſſeſſed, &c.

and the treaſurer of the county is to pay over the ſame to the receiver general.

XXII. Provided always, That the rates or aſſeſſments which ſhall be made by ſuch juſtices of the peace at the ſaid general or quarter ſeſſions in purſuance of this act, ſhall be made, aſſeſſed, collected, received, levied, and paid, ſeparately and diſtinctly from all the other county rates aſſeſſed and raiſed upon and within the ſaid county; any thing in the ſaid act made in the twelfth year of his late Majeſty's reign, or any other act or acts of parliament, or any cuſtom or uſage, to the contrary notwithſtanding.

The ſaid rate to be made, levied, and paid, diſtinctly from all other county rates.

XXIII. And be it further enacted by the authority aforeſaid, That the ſeveral and reſpective parochial officers, or other perſons, who ſhall pay or be liable to pay the rates or aſſeſſments, which ſhall be made and rated for the purpoſe of this act, upon any pariſh, town, and place; and alſo all ſuch parochial officers and perſons, upon whom any ſuch rate or aſſeſſment ſhall be levied; ſhall and may, from time to time, after notice ſhall be given of the amount of the rate or aſſeſſment, upon ſuch town, pariſh, or place, either before the payment thereof by ſuch parochial officers or perſons, or after the ſame ſhall have been actually paid by, or levied upon, ſuch officers or perſons, rate and levy ſuch monies, by a ſeparate and diſtinct rate and aſſeſſment, upon every ſuch reſpective town, pariſh, or place, in ſuch manner and proportion, and with ſuch powers for recovery thereof, as any other county rate may be aſſeſſed or levied: and

After notice given of the amount of the rates, the parochial officers, &c. are to rate and levy the monies by a diſtinct rate and aſſeſſment upon the reſpective towns, pariſhes, and places;

that

and tenants and occupiers paying the ſame, are to be allowed what they ſhall ſo pay in their rent.

that every tenant or occupier of any houſe, land, tythe, tenement, or hereditament, who ſhall pay any rate or aſſeſſment to be made in purſuance of this act by ſuch reſpective parochial officers or perſons, within any ſuch town, pariſh, or place, or upon whom any ſuch rate or aſſeſſment ſhall be levied, ſhall and may deduct the ſame out of his or her rent, and ſhall be acquitted and diſcharged for ſo much money as ſuch rates or aſſeſſments ſhall, from time to time, amount unto, as fully and effectually as if ſuch money had been actually paid to the perſon or perſons to whom ſuch rent is or ſhall be payable; and ſuch perſon or perſons is and are hereby required to allow, from time to time, ſuch deductions, upon receipt of the reſidue of the rent.

Agreement between landlord and tenant not vacated, where the eſtate leaſed is not let at rack rent; and landlord to allow only in proportion to the rent he receives.

XXIV. Provided always, That nothing herein before contained, ſhall vacate any covenant or agreement contained in any leaſe between landlord and tenant, where the eſtate leaſed is not let at rack rent; and that no landlord of any eſtate which ſhall not be let at rack rent, ſhall be obliged or compellable to allow to any tenant any money which he or ſhe ſhall pay towards any county rate, which ſhall be made in purſuance of this act, but in proportion only to the rent ſuch landlord ſhall receive from his tenant.

Where the militia for any county, together with any city or town being a county of itſelf, is not raiſed, the ſum of 5l. per man is to be apportioned between them, in ſuch proportion as their reſpective Quotas to the land tax bear to each other; but if an apportionment

XXV. Provided always, and be it enacted, That in all caſes where a certain number of private militia men are directed to be raiſed for any county, together with any city or town being a county of itſelf, and the militia has not been, or ſhall not be, raiſed, for ſuch county, and city or town, the payment of the ſaid ſum of five pounds *per* man, upon the whole number of private militia men ſo directed to be raiſed as aforeſaid, ſhall be divided and apportioned between ſuch county, and ſuch city or town being a county of itſelf, in ſuch proportion as the reſpective *Quotas* paid to the land tax by the ſaid county, and by the ſaid city and town being a county of itſelf, bear to each other; unleſs an apportionment of the ſaid number of private militia men ſhall actually have been made in purſuance of the liſt directed to be returned by the ſaid former acts, or by this preſent act, in which caſe the ſaid ſum of five pounds *per* man ſhall be borne by ſuch county, and by ſuch city or town being a county of itſelf, in ſuch proportion as the reſpective numbers of men ſo apportioned to be raiſed by ſuch county, and by ſuch city or town, bear to each other.

of the men ſhall have been made, the ſaid ſum is to be borne them in ſuch proportion as the numbers of men to be raiſed by them reſpectively bear to each other.

Receiver general to pay over the ſaid county rates, together with the land tax, into the exchequer, diſtinguiſhing the monies

XXVI. And be it further enacted by the authority aforeſaid, That the receiver general of the land tax for ſuch reſpective counties or places, to whom ſuch money ſhall be paid by the treaſurer or treaſurers of ſuch counties as aforeſaid, ſhall pay the ſame, together with the monies ariſing from the land tax in ſuch county, into the receipt of his Majeſty's exchequer at *Weſtminſter*, and diſtinguiſh upon every ſuch payment the monies received by virtue of this act; and the monies ſo paid into the receipt

ceipt of his Majeſty's exchequer ſhall be kept ſeparate and apart from all other monies, and ſhall be paid by the lord high treaſurer, or by the commiſſioners for executing the office of lord high treaſurer, or any three or more of them, for the time being, to the treaſurers of ſuch counties as have raiſed or ſhall raiſe their militia, in proportion to the number of men raiſed or to be raiſed by each county reſpectively, to be by them made part of the county ſtock; and the lord high treaſurer, or the commiſſioners for executing the office of lord high treaſurer for the time being, or any three or more of them, are hereby impowered and required to apportion and iſſue the ſaid money ſo received accordingly; and no allowance or deduction ſhall be made from or out of the ſaid ſums of money ſo paid into the exchequer on any account whatſoever.

payable on this act; the ſame to be kept ſeparately, and paid over by the treaſury to the treaſurers of ſuch counties as ſhall have raiſed their militia, in proportion to their number of men, to be made part of the county ſtock.

No deduction to be made from the monies ſo paid into the exchequer.

XXVII. Provided nevertheleſs, That if the militia ſhall be raiſed in the manner appointed by virtue of this act, for all or any of the ſaid counties or places, ſuch reſpective counties and places ſhall, during the time the militia are ſo raiſed, be exonerated, freed, and diſcharged, from the payment of the ſaid ſums, and the aſſeſſments to be made in reſpect thereof ſhall, during ſuch time, be ſuſpended; any thing herein contained to the contrary notwithſtanding.

Where the militia of any county &c. ſhall be raiſed as this act directs, ſuch county is to be exonerated from payment of the ſaid ſums.

XXVIII. And be it enacted, That it ſhall be lawful for the lieutenant of any county, riding, or place, to act as a colonel of any regiment or battalion of militia for ſuch county, riding, or place, for and during ſuch time or times as there ſhall not be any colonel appointed for the command of the ſame regiment or battalion; but no lieutenant ſhall at any one time act as a colonel to more than one regiment or battallion.

Ld. lieutenant may act as colonel to any regiment, &c. for which no colonel is appointed, but may not act to more than one at time;

XXIX. And be it enacted, That where his Majeſty's lieutenant of any county, riding, or place, ſhall, under the powers given by this act, ſerve as colonel to any body of militia by this act deemed a battalion only, he ſhall not, when ſuch battalion ſhall be embodied and in actual ſervice, be intituled to or receive any other pay than that of a lieutenant colonel; and that no other perſon whatſoever ſhall ſerve or be intituled to pay as a lieutenant colonel in ſuch battalion, during the time that his Majeſty's ſaid lieutenant ſhall ſerve therein as colonel.

And if the command be a battalion, he is to receive pay as lieu. colonel only; and no other perſon is to ſerve, or be intituled to pay as lieu. colonel, while he ſerves as colonel.

XXX. And be it enacted, That his Majeſty's lieutenant together with any three deputy lieutenants of any county, riding, or place, and on the death or removal, or in the abſence of his Majeſty's lieutenant, any five deputy lieutenants, ſhall, at the end of every four years, at their annual meeting in caſe the militia of ſuch county, riding, or place, ſhall not be then embodied, diſcharge ſome one field officer of each regiment or battalion, and ſuch a number of officers of each inferior rank as ſhall be equal to the number of perſons who ſhall have given notice in writing to his Majeſty's lieutenant one month at leaſt before ſuch meeting, that they are willing to ſerve as field officers, captains, lieutenants, or enſigns, as the caſe may require.

At the end of every 4 years, one field officer of each regiment, &c. and a number of officers of each inferior rank, equal to the number of perſons who ſhall have been returned as willing to ſerve, are to be diſcharged.

XXXI. Pro-

The number of ſuch vacancies not to exceed one third in each rank.

XXXI. Provided, That the number of vacancies to be made ſhall not exceed one third of ſuch officers, who ſhall have ſerved for the ſpace of four years in each rank reſpectively.

Officer who has ſerved 4 years, may offer to ſerve in a higher rank, if qualified.

XXXII. Provided, That nothing herein contained ſhall prevent any officer who has ſerved four years, from offering himſelf to ſerve in an higher rank, if he be qualified as this act requires to ſerve in ſuch higher rank.

An adjutant may be appointed by the King to each regiment, &c. out of his Majeſty's other forces, or embodied militia; and if appointed out of his Majeſty's other forces, he is to keep his rank therein, and may hold a ſubaltern commiſſion without a qualification.

XXXIII. And be it enacted, That his Majeſty, his heirs, and ſucceſſors, may and ſhall appoint one proper perſon who ſhall have ſerved, or ſhall, at the time of ſuch appointment, actually ſerve in ſome of his Majeſty's other forces, or in any corps of militia that has been drawn out and embodied, to be an adjutant to each regiment, battalion, or independent company of militia, in each county, riding, or place reſpectively; and ſuch adjutant, if appointed out of his Majeſty's other forces, ſhall, during his ſervice in the ſaid militia, preſerve his rank in the army, in the ſame manner as if he had continued in that ſervice: and it ſhall and may be lawful for his Majeſty's lieutenant of any county, riding, or place, to grant unto th adjutant to each regiment, battalion, or independent company, a commiſſion of lieutenant, or any inferior commiſſion therein, although ſuch adjutant ſhall not have an eſtate to qualify him for ſuch commiſſion as is required by this act.

Militia officer exempted from ſerving as ſheriff.

XXXIV. And be it enacted, That no perſon, during the time he is acting as a militia officer, ſhall be obliged to ſerve the office of ſheriff.

Officers quitting their half-pay to ſerve in the militia, upon quitting the militia, or unembodied, are to be reſtored to half-pay again.

XXXV. And be it enacted, That any perſon who has quitted, or ſhall quit, his half-pay, to ſerve as a commiſſioned officer in any regiment, battalion, or independent company of militia, ſhall, upon his quitting the ſaid regiment, battalion, or independent company of militia, or upon the unembodying thereof, be reſtored to his half-pay; ſuch half-pay to recommence from the laſt quarter-day, or day of payment next preceding.

Serjeants may be appointed by the King out of his Majeſty's other forces, or embodied militia, in the proportion of 1 ſerjeant to 20 private men, 2 or more to every company

XXXVI. And be it enacted, That his Majeſty, his heirs, and ſucceſſors, may and ſhall appoint, according to the proportion of one ſerjeant to twenty private men, two or more proper perſons to be ſerjeants to every company in the ſaid militia, out of and from his Majeſty's other forces; ſuch perſons having ſerved in the ſaid forces for the ſpace of one year next preceding their appointment to be ſerjeants; or may appoint ſuch other perſons to be ſerjeants, as have formerly ſerved for the ſpace of one year in his Majeſty's ſaid forces; or out of or from any corps of militia that has been drawn out and embodied; which ſerjeants ſo appointed ſhall take the following oath; that is to ſay,

Oath to be taken by ſerjeants.

I A.B. *do ſincerely promiſe and ſwear, That I will be faithful and bear true allegiance to his Majeſty King* George, *his heirs, and ſucceſſors: and I do ſwear that I am a proteſtant, and that I will faithfully ſerve as a ſerjeant in the militia, within the kingdom of* Great Britain, *for the defence of the ſame, until I ſhall be legally diſcharged.*

And the ſervice in the militia of ſuch perſons ſo appointed out of his Majeſty's ſaid other forces, ſhall intitle them to the benefit of *Chelſea hoſpital*, in the ſame manner as if they had continued to ſerve in the ſaid forces; and every perſon appointed to be a ſerjeant out of the penſioners on the eſtabliſhment of *Chelſea hoſpital*, ſhall be intituled to be, and ſhall be, put again upon the ſaid eſtabliſhment, after he ſhall be diſcharged from the ſervice of the militia; provided he brings a certificate of his good behaviour, under the hand of the colonel, or commanding officer of the regiment or battalion in which he ſhall have ſerved: and his Majeſty's lieutenant ſhall, from time to time, as occaſion ſhall require, appoint a clerk to each regiment or battalion; and the colonel of the regiment or battalion, or, where there is no colonel, the lieutenant colonel, or where there is no colonel or lieutenant colonel, the major, ſhall appoint a ſerjeant major out of the ſerjeants, and a drum major out of the drummers.

Serjeants appointed out of his Majeſty's other forces, are intituled to Chelſea hoſpital;

and penſioners of the ſaid hoſpital, made ſerjeants, are to be re-admitted, on producing certificates of good behaviour.

Ld. lieutenant to appoint a regimental clerk,

and the colonel, &c. a ſerjeant major, and drum major, to each regiment.

XXXVII. And be it enacted, That no perſon who ſhall keep any houſe of public entertainment, or who ſhall ſell any ale, wine, brandy, or other ſpirituous liquors by retail, ſhall be capable of being appointed or continuing a ſerjeant in the militia.

Alehouſe-keepers diſqualified from being ſerjeants.

XXXVIII. And be it enacted, That the captain of every company of militia may and ſhall appoint two perſons to be drummers or fifers to his company, who, when ſo appointed, and having received any pay as ſuch, ſhall be deemed to be engaged, and ſhall be compellable to ſerve in the ſame regiment or battalion, until legally diſcharged; and may and ſhall appoint corporals out of the private men of his company, in the proportion of one corporal to twenty private men; and may diſplace ſuch drummers, fifers, and corporals reſpectively, for miſbehaviour, and appoint others in their room, from time to time, as he ſhall ſee occaſion; and may and ſhall appoint, (with the approbation of the colonel, or, where there is no colonel, the lieutenant colonel, or, where there is no colonel or lieutenant colonel, the the major of the regiment or battalion) ſerjeants out of the private men of the regiment or battalion, to fill up ſuch vacancies of ſerjeants as may happen therein; which ſerjeants ſo appointed, ſhall take the like oath as is herein before required to be taken by ſerjeants appointed by his Majeſty (which oath any one deputy lieutenant, or in caſe the regiment or battalion then happening to be embodied ſhould be in any other county, riding, or place, any one juſtice of the peace thereof, are hereby reſpectively authorized to adminiſter) and that it ſhall be lawful for the commanding officer of any regiment or battalion of militia, being a field officer, upon the application of the captain, to diſplace ſerjeants.

Captain may appoint 2 drummers or fifers to his company; and 1 corporal to 20 men; and may diſplace them for misbehaviour: he may alſo, with leave of the colonel, fill up vacancies of ſerjeants out of the ranks.

Such ſerjeants to take the oath appointed.

They may be diſplaced upon application of the captain.

XXXIX. Provided always, and be it enacted, That any perſon who is or ſhall be appointed out of or from any company of his Majeſty's other forces, to be a ſerjeant in the militia, and ſhall be for any miſbehaviour reduced into the ranks, and ſhall not in one month's time after ſuch reduction be reſtored, he ſhall be returned to the company from which he was taken in his Majeſty's

Serjeants from the army being reduced for misbehaviour, and not reſtored with

jeſty's other forces, and ſhall there ſerve as a private man; and any perſon who is or ſhall be appointed a ſerjeant in the militia, out of or from any company of militia, ſhall and may be reduced into the ranks for miſbehaviour, and ſhall ſerve in the ranks of ſuch company wherein he ſerved before ſuch appointment, for ſuch further time as ſhall compleat his three years ſervice as a private militia man; and in caſe there be no vacancy in ſuch company, he ſhall ſerve in any other company in the regiment or battalion.

in a month, are to be returned to the corps from whence they were taken, and ſerve in the ranks.

Serjeants made from the militia may be reduced into the ranks for misbehaviour.

XL. And be it enacted, That if any ſerjeant, drummer, or fifer, ſhall inliſt in any of his Majeſty's other forces, ſuch inliſting ſhall be, and is hereby declared to be, null and void.

The inliſting of a ſerjeant, drummer, or fifer, into his Majeſty's other forces, declared void.

XLI. And be it enacted, That the number of private men to be raiſed by virtue of this act, in that part of *Great Britain* called *England*, the dominion of *Wales*, and town of *Berwick upon Tweed* (excluſive of the places herein after excepted) ſhall be,

Number of private men to be raiſed in each county, &c.

For the county of *Bedford*, four hundred.
For the county of *Berks*, five hundred and ſixty.
For the county of *Bucks*, five hundred and ſixty.
For the county of *Cambridge*, four hundred and eighty.
For the county of *Cheſter*, with the city and county of the city of *Cheſter*, five hundred and ſixty.
For the county of *Cornwall*, ſix hundred and forty.
For the county of *Cumberland*, three hundred and twenty.
For the county of *Derby*, five hundred and ſixty.
For the county of *Devon*, with the city and county of the city of *Exeter*, one thouſand ſix hundred.
For the county of *Dorſet*, with the town and county of the town of *Pool*, ſix hundred and forty.
For the county of *Durham*, four hundred.
For the county of *Eſſex*, nine hundred and ſixty.
For the county of *Glouceſter*, with the city and county of the city of *Glouceſter*, and the city and county of the city of *Briſtol*, nine hundred and ſixty.
For the county of *Hereford*, four hundred and eighty.
For the county of *Hertford*, five hundred and ſixty.
For the county of *Huntingdon*, three hundred and twenty.
For the county of *Kent*, with the city and county of the city of *Canterbury*, nine hundred and ſixty.
For the county of *Lancaſter*, eight hundred.
For the county of *Leiceſter*, five hundred and ſixty.
For the county of *Lincoln*, with the city and county of the city of *Lincoln*, one thouſand two hundred.
For the county of *Middleſex*, excluſive of the tower diviſion, commonly called *The Tower Hamlets*, one thouſand ſix hundred.
For the county of *Monmouth*, two hundred and forty.
For the county of *Norfolk*, with the city and county of the city of *Norwich*, nine hundred and ſixty.
For the county of *Northampton*, ſix hundred and forty.
For the county of *Northumberland*, with the town and county of

of the town of *Newcaſtle upon Tyne*, and the town of *Berwick*, five hundred and ſixty.

For the county of *Nottingham*, with the town and county of the town of *Nottingham*, four hundred and eighty.

For the county of *Oxford*, five hundred and ſixty.

For the county of *Rutland*, one hundred and twenty.

For the county of *Salop*, ſix hundred and forty.

For the county of *Somerſet*, eight hundred and forty.

For the county of *Southampton*, with the town and county of the town of *Southampton*, nine hundred and ſixty.

For the county of *Stafford*, with the city and county of the city of *Litchfield*, five hundred and ſixty.

For the county of *Suffolk*, nine hundred and ſixty.

For the county of *Surry*, eight hundred.

For the county of *Suſſex*, eight hundred.

For the county of *Warwick*, with the city and county of the city of *Coventry*, ſix hundred and forty.

For the county of *Weſtmoreland*, two hundred and forty.

For the county of *Worceſter*, with the city and county of the city of *Worceſter*, five hundred and ſixty.

For the county of *Wilts*, eight hundred.

For the Weſt Riding of the county of *York*, with the city and county of the city of *York*, one thouſand two hundred and forty:

For the North Riding of the ſaid county, ſeven hundred and twenty:

And for the Eaſt Riding of the ſaid county, with the town and county of the town of *Kingſton upon Hull*, four hundred.

For the county of *Angleſea*, eighty.

For the county of *Brecknock*, one hundred and ſixty.

For the county of *Cardigan*, one hundred and twenty.

For the county of *Carmarthen*, with the county borough of *Carmarthen*, two hundred.

For the county of *Carnarvon*, eighty.

For the county of *Denbigh*, two hundred and eighty.

For the county of *Flint*, one hundred and twenty.

For the county of *Glamorgan*, three hundred and ſixty.

For the county of *Merioneth*, eighty.

For the county of *Montgomery*, two hundred and forty.

For the county of *Pembroke*, with the town and county of the town of *Haverford Weſt*, one hundred and ſixty.

For the county of *Radnor*, one hundred and twenty.

Where the militia has not been raiſed, a general meeting is to be held by the lord lieutenant and 2 deputies; or, in the lord lieutenant's abſence, by 3 deputies, on the ſecond Tueſday in May annually; and on failur-

XLII. And be it enacted, That in all counties, ridings, and places, where the militia has not been raiſed, his Majeſty's lieutenant for every ſuch county, riding, and place, together with any two or more deputy lieutenants, and, on the death or removal, or, in the abſence of his Majeſty's lieutenant, any three or more deputy lieutenants, ſhall meet at ſome city or principal town of the county, riding, or place, for which they ſhall be commiſſioned, on the ſecond *Tueſday* in *May* in every year; and if there ſhould happen to be no ſuch meeting on that day, then his

of meeting, then a meeting is to be held by ſummons and advertiſement.

his Majeſty's ſaid lieutenant, or, on his death or removal, or in his abſence, any three or more deputy lieutenants, ſhall ſummon, or cauſe to be ſummoned, another meeting to be holden at the ſame city or principal town, on a day to be fixed by ſuch ſummons; of which day and place notice ſhall be given in the *London Gazette*, and alſo in any weekly paper uſually circulated (if any ſuch there be) within the ſame county or riding, fourteen days at leaſt before the holding of ſuch meeting: and his Majeſty's ſaid lieutenant, or, on his death or removal, or, in his abſence, any three or more deputy lieutenants, ſhall, at their firſt general meeting, appoint ſubdiviſions of the deputy lieutenants within their reſpective counties, ridings, and places, and the times and places for their firſt meetings within the ſaid ſubdiviſions reſpectively; and the time and place for a ſecond general meeting; and ſhall iſſue out their orders to the chief conſtable, and, where there is no chief conſtable, to ſome other officer of the ſeveral hundreds, rapes, laths, wapentakes, or other diviſions, within their reſpective counties, ridings, and places, to require, by orders under their hands, the conſtable, tythingman, headborough, or other officer of each pariſh, tything, or place, within their reſpective hundreds, rapes, laths, wapentakes, or other diviſions, to return to the deputy lieutenants within their reſpective ſubdiviſions, at the place and on the day appointed at the ſaid firſt general meeting, fair and true liſts, in writing, of the names of all the men uſually, and, at that time, dwelling within their reſpective pariſhes, tythings, and places, between the ages of eighteen and forty five years, diſtinguiſhing their reſpective ranks and occupations; and where the true names of ſuch perſons cannot be procured, the common appellation of ſuch perſons ſhall be ſufficient; and which of the perſons ſo returned labour under any infirmities, incapacitating them from ſerving as militia men; having firſt affixed a true copy of ſuch liſt on the door of the church or chapel belonging to ſuch pariſh, tything, or place, and if any place ſhall have no church or chapel belonging thereto, on the door of the church or chapel of ſome pariſh or place thereto adjoining, on ſome *Sunday* morning before they ſhall make ſuch return, which *Sunday* ſhall be three days at the leaſt before the ſaid meeting; and alſo notice in writing, at the bottom of ſuch liſt, of the day and place of ſuch meeting, and that all perſons who ſhall think themſelves aggrieved, may then appeal, and that no appeal will be afterwards received: and on the day and at the place ſo reſpectively appointed as aforeſaid, for the returns of the liſts, the conſtables, tythingmen, headboroughs, or other officers reſpectively, ſhall attend and verify the ſaid return upon oath; and the ſaid deputy lieutenants, or any three or more of them, or any two deputy lieutenants together with any one juſtice of the peace, or any one deputy lieutenant together with any two juſtices of the peace, ſo aſſembled in their ſubdiviſions, ſhall (after hearing any perſon who ſhall think himſelf aggrieved by having his name inſerted in ſuch liſts, or by any others being omitted)

At their firſt general meeting, the ſubdiviſions of the deputy lieuts. and the times and places for their firſt meetings therein, are to be ſettled; and alſo a ſecond general meeting appointed.

Orders to be then iſſued to the conſtables, to return liſts of all perſons within their diſtricts, between the ages of 18 and 45 years; diſtinguiſhing their reſpective ranks and occupations, &c.

Copy of the liſt to be affixed on the door of the church, on ſome Sunday, 3 days before the return is made, with notice of the day and place of meeting; that perſons aggrieved may then appeal; after which no appeal will be received.

Conſtables to attend the returns, and verify the ſame on oath.

After the appeals are heard and ſettled,

omitted) direct ſuch liſts to be amended as the caſe ſhall require, and alſo the names of all perſons by this act reſpectively excepted, to be ſtruck out of the ſaid liſts, and ſhall appoint the times and places for their ſecond meetings within their reſpective ſubdiviſions, and ſhall return to the ſecond general meeting all the liſts for the ſeveral pariſhes, tythings, and places, ſo amended: at which ſaid ſecond general meeting his Majeſty's lieutenant together with any two or more deputy lieutenants, and on the death or removal, or in the abſence, of his Majeſty's lieutenant, any three or more deputy lieutenants, ſhall order copies to be made of all the ſaid liſts, and ſuch copies to be returned to the deputy lieutenants at their ſecond meetings within their ſubdiviſions, wherein the pariſhes, tythings, and places, for which ſuch liſts are made and returned, are reſpectively ſituate; and ſhall appoint what number of men in each reſpective hundred, rape, lath, wapentake, or other diviſion, ſhall ſerve in the ſaid militia, towards raiſing the number of militia men by this act directed to be raiſed for ſuch reſpective county, riding, or place, in proportion to the whole number contained in ſuch liſts: and the ſaid deputy lieutenants, or any three or more of them, or any two deputy lieutenants together with any one juſtice of the peace, or any one deputy lieutenant together with any two juſtices of the peace, aſſembled at their ſaid ſecond meetings within the ſaid ſubdiviſions, ſhall appoint what number of men ſhall ſerve for each pariſh, tything, and place, or pariſhes, tythings, and places, in proportion to the number appointed at the ſecond general meeting to ſerve for each hundred, rape, lath, wapentake, or other diviſion; and, if a proper number of officers be then appointed, ſhall appoint another meeting to be held within three weeks in the ſame ſubdiviſion, and ſhall iſſue out an order to the chief conſtable, or other officer of the reſpective hundreds, rapes, laths, wapentakes, or other diviſions, requiring them to give notice to the conſtable, tythingman, headborough, or other officer of each pariſh, tything, or place, or pariſhes, tythings, or places, within their reſpective hundreds, rapes, laths, wapentakes, or other diviſions, of the number of men ſo appointed to ſerve for ſuch reſpective pariſh, tything, or place, or pariſhes, tythings, or places, and of the time and place of the next ſubdiviſion meeting; and the ſaid deputy lieutenants, or any three or more of them, or any two deputy lieutenants together with any one juſtice of the peace, or any one deputy lieutenant together with any two juſtices of the peace, aſſembled in purſuance of ſuch appointment, ſhall cauſe the number of men appointed to ſerve as aforeſaid, except as herein after excepted, to be choſen by lot out of the liſt or liſts returned for ſuch pariſh, tything, or place, or pariſhes, tythings, or places; and ſhall appoint another meeting to be held within three weeks in the ſame ſubdiviſion; and ſhall iſſue out an order

and perſons excepted by the act ſtruck out, the deputy lieutenants are to direct the liſts to be amended; and appoint the times and places for their 2d ſubdiviſion meetings; and return the amended liſts to the 2d general meeting; at which, copies of the liſts are to be made out, to be returned to the deputy lieutenants, at their 2d ſubdiviſion meetings; and the number of men which ſhall ſerve out of the reſpective hundreds, &c. is to be then appointed.

Deputy lieuts. at their 2d ſubdiviſion meetings, are to appoint the number of men that ſhall ſerve in each pariſh, &c. in proportion to the number appointed for each hundred, &c.
and if a proper number of officers be then appointed, another meeting is to be held within 3 weeks; and orders iſſued, for notice to

be given to the conſtables of the number of men appointed to ſerve, and of the time and place of the next ſubdiviſion meeting; at which the men are to be choſen by lot out of the liſts; and another meeting is to be appointed,

and orders iſſued for giving timely notice to the perſons choſen, then to appear; and the conſtables are to attend to avouch the notices; and the men to take the oath following.

der to the chief conſtable, or other officers of the reſpective hundreds, rapes, laths, wapentakes, or other diviſions, to direct the conſtable, tythingman, headborough, or other officer of each pariſh, tything, or place, to give notice to every man ſo choſen to ſerve in the militia, to appear at ſuch meeting; which notice ſhall be given or left at his place of abode, at leaſt ſeven days before ſuch meeting; and ſuch conſtable, tythingman, headborough, or other officer, ſhall attend ſuch meeting, and make a return upon oath of the days when ſuch notice was ſerved; and every perſon ſo choſen by lot ſhall, upon ſuch notice, appear at ſuch meeting, and there take the following oath; that is to ſay,

I A. B. *do ſincerely promiſe and ſwear, That I will be faithful and bear true allegiance to his Majeſty King* George, *his heirs, and ſucceſſors: and I do ſwear that I am a proteſtant, and that I will faithfully ſerve in the militia within the kingdom of* Great Britain, *for the defence of the ſame, during the time for which I am inrolled, unleſs I ſhall be ſooner diſcharged.*

and to be inrolled for 3 years, or provide fit ſubſtitutes, who ſhall take the ſaid oath, and ſign their conſent to ſerve for the ſaid term. Thoſe who refuſe to attend and be inrolled, or to provide fit ſubſtitutes, not being quakers, forfeit 10 l. and at the end of 3 years are liable to ſerve again, or provide a ſubſtitute.

(Which oath any one deputy lieutenant is hereby authorized to adminiſter) and ſhall be inrolled to ſerve in the militia of ſuch reſpective county, riding, or place, as a private militia man, for the ſpace of three years, in a roll to be then and there prepared for that purpoſe; or ſhall provide a fit perſon, to be approved by the ſaid deputy lieutenants, or any three or more of them, or by any two deputy lieutenants together with any one juſtice of the peace, or by any one deputy lieutenant together with any two juſtices of the peace, then met, to ſerve as his ſubſtitute; which ſubſtitute ſo provided and approved, ſhall take the ſaid oath, and ſign on the ſaid roll his conſent to ſerve as his ſubſtitute during the ſaid term: and if any perſon ſo choſen by lot to ſerve in the militia (not being one of the people called *Quakers*) ſhall refuſe or neglect to appear and take the ſaid oath, and ſerve in the militia, or to provide a ſubſtitute to be approved as aforeſaid, who ſhall take the ſaid oath, and ſign his conſent to ſerve as his ſubſtitute, every ſuch perſon ſo refuſing or neglecting ſhall forfeit and pay the ſum of ten pounds, and at the expiration of three years be liable to ſerve again, or provide a ſubſtitute.

Specification of perſons exempted from ſervice in the militia by themſelves or ſubſtitutes.

XLIII. And be it enacted, That no peer of this realm, nor any perſon who ſhall ſerve as a commiſſion officer in any regiment, troop, or company, in his Majeſty's other forces, or in any one of his Majeſty's caſtles or forts; nor any non-commiſſion officer or private man ſerving in any of his Majeſty's other forces; nor any commiſſion officer ſerving, or who has ſerved, four years in the militia; nor any perſon being a member of either of the univerſities; nor any clergyman; nor any licenſed teacher of any ſeparate congregation; nor any conſtable, or other ſuch peace officer; nor any articled clerk, apprentice, ſeaman, or ſeafaring man; nor any perſon muſtered, trained, and doing duty, in any of his Majeſty's docks, for the ſervice thereof

thereof; nor any perſon being free of the company of watermen of the river *Thames*; nor any poor man who has three children born in wedlock; ſhall be compelled to ſerve perſonally, or provide a ſubſtitute to ſerve in the militia.

The lists for 2 or more pariſhes may be united by the deputy lieutenants, and proceeded upon as if originally returned for one pariſh.

XLIV. And be it enacted, That it may and ſhall be lawful for any three or more deputy lieutenants, or any two deputy lieutenants together with any one juſtice of the peace, or any one deputy lieutenant together with any two juſtices of the peace, within their reſpective ſubdiviſions, to add together, whenſoever they ſhall think neceſſary, the liſts for two or more pariſhes, tythings, or places, and proceed upon ſuch liſts, added together, in like manner as if they had been originally returned for one pariſh, tything, or place, ſo as to make the choice of militia men by lot, within ſuch ſubdiviſion, as equal and impartial as poſſible.

Churchwardens, &c. with conſent of the veſtry, may provide and tender voluntiers;

and ſuch of them as ſhall be approved, ſhall be then ſworn in, and inrolled;

and ſo many perſons only ſhall be choſen out of the liſts, as ſhall be then wanted to compleat the number to ſerve for ſuch pariſh.

XLV. And be it enacted, That if the churchwardens or overſeers, or churchwarden or overſeer, of any pariſh, tything, or place, or of two or more pariſhes, tythings, or places, ſo added together as aforeſaid, ſhall, with the conſent of the inhabitants of the pariſh or pariſhes, townſhip or townſhips, hamlet or place, taken at a veſtry, or at any other meeting for ſuch pariſh, townſhip, hamlet, or place, to be holden for that purpoſe, provide and produce to the ſaid deputy lieutenants, or any three or more of them, or to any two deputy lieutenants together with any one juſtice of the peace, or to any one deputy lieutenant together with any two juſtices of the peace, at their meetings within their reſpective ſubdiviſions for chooſing the militia men by lot, any voluntier or voluntiers, and ſuch voluntier or voluntiers ſhall be approved by the ſaid deputy lieutenants and juſtices ſo met as aforeſaid, they, or ſuch of them as ſhall be approved, ſhall be then and there ſworn in and inrolled; and the ſaid deputy lieutenants and juſtices, within their reſpective ſubdiviſions, ſhall cauſe only ſuch a number of perſons to be choſen by lot out of the liſt or liſts returned for ſuch pariſh, tything, or place, or pariſhes, tythings, or places, as aforeſaid, as ſhall be then wanted to make up the whole number to ſerve for ſuch pariſh, tything, or place, or pariſhes, tythings, or places, as aforeſaid: and if ſuch churchwarden or overſeer, or churchwardens or overſeers, ſhall give to ſuch voluntier or voluntiers any ſum or ſums of money to ſerve in the militia for ſuch pariſh, tything, or place, or pariſhes, tythings, or places, it may and ſhall be lawful for ſuch churchwarden or overſeer, or churchwardens or overſeers, to make a rate upon the inhabitants of ſuch pariſh, tything, or place, or pariſhes, tythings, or places, by the rate they now uſe in making the rates for the relief of the poor; which rate being approved by two juſtices of the peace, it may and ſhall be lawful for ſuch churchwarden or overſeer, or churchwardens or overſeers, to collect ſuch rate, and reimburſe themſelves ſuch ſum and ſums of money as they ſhall have paid with the conſent of the inhabitants of ſuch pariſh or pariſhes, townſhips or places, aſſembled as aforeſaid, to ſuch voluntier or

Money paid to voluntiers for ſerving, to be reimburſed the churchwardens by a parochial rate;

Overplus of the rate to be applied to the poors rate.

voluntiers as aforeſaid; and the overplus, if any, ſhall be applied as part of the poors rate: and if any perſon ſhall refuſe to pay the ſum of money he ſhall be ſo rated, it may and ſhall be lawful for any one juſtice of the peace, upon complaint thereof made by ſuch churchwarden or overſeer, or churchwardens or overſeers, by warrant under his hand and ſeal, to levy the ſame by diſtreſs and ſale of the offender's goods and chattels, rendering the overplus, if any, after the ſaid rate, and the charges of ſuch diſtreſs and ſale, ſhall be paid; but no balloted perſon who ſhall have ſerved himſelf, or by ſubſtitute, three years, or who ſhall be then ſerving himſelf, or by ſubſtitute, in the militia, ſhall be liable to pay to ſuch rates.

The ſaid rate may be levied by diſtreſs and ſale; but balloted perſons who have ſerved, or ſhall be ſerving, by themſelves or by ſubſtitutes, are exempted from paying thereto.

XLVI. Provided always, That it ſhall be lawful for any perſon who ſhall think himſelf or herſelf aggrieved by any ſuch rate as aforeſaid, to appeal to the next general quarter ſeſſions, in like manner as is provided in the caſe of appeals againſt rates for the relief of the poor.

Perſons aggrieved by ſuch rates may appeal.

XLVII. Provided always, and be it enacted by the authority aforeſaid, That in caſe any perſon ſhall be choſen by lot to ſerve in the militia for any pariſh, tything, or place, or pariſhes, tythings, or places, and ſuch perſon ſhall be ſworn and inrolled, or ſhall provide a fit perſon to ſerve as his ſubſtitute who ſhall be ſworn and inrolled, the churchwarden or overſeer, or churchwardens or overſeers, of ſuch pariſh, tything, or place, or pariſhes, tythings, or places, ſhall, within one month after the time of ſuch ſwearing or inrolling of the man ſo choſen by lot, or of the ſubſtitute reſpectively, pay to every ſuch perſon ſo choſen by lot, if the regiment or battalion in which he, or his ſubſtitute, ſhall ſerve, ſhall be then embodied, any ſuch ſum of money not exceeding five pounds, as three deputy lieutenants, or two deputy lieutenants and one juſtice, or one deputy lieutenant and two juſtices, in whoſe preſence ſuch perſon ſhall be choſen by lot, ſhall adjudge to be, as near as may be, one half of the current price then paid for a voluntier in the county or riding where ſuch perſon ſhall be ſo choſen by lot; which ſaid ſum of money ſhall be taken out of the rate to be made as aforeſaid for providing and producing voluntiers; or, in caſe no voluntiers ſhall be provided or produced by the churchwardens or overſeers, or churchwarden or overſeer, of any pariſh, tything, or place, or pariſhes, tythings, or places, then out of a rate to be made by the rule aforeſaid.

The churchwardens are to pay within a month to the perſons who ſhall be choſen by lot and inrolled, or ſhall provide fit ſubſtitutes, (if the regiment be then embodied) ſuch ſum not exceeding 5l. as ſhall be adjudged one half of the current price paid for a voluntier; the money to be paid out of the voluntier rate, or a rate made for that purpoſe.

XLVIII. Provided nevertheleſs, That if ſuch man ſo choſen by lot, and ſerving for himſelf, ſhall within one month after his inrolment, be diſapproved of and diſcharged by the officer commanding the regiment or battalion, no ſuch ſum ſhall be paid to the perſon ſo choſen by lot, but ſhall be paid, in manner aboveſaid, to the next perſon choſen by lot in his ſtead; and if the ſubſtitute he ſhall have found be diſapproved in manner aboveſaid, then no ſuch ſum to be paid to the man ſo choſen by lot, in manner aboveſaid, unleſs he ſhall ſerve himſelf, or ſhall find another ſubſtitute.

If the perſon choſen by lot and inrolled, ſhall be diſapproved of, and diſcharged within the month, the money ſhall not be paid to him, but to the next perſon choſen in his ſtead; and the ſame rule is to be obſerved in the caſe of ſubſtitutes;——

XLIX. Pro-

XLIX. Provided always, That no perſon ſo choſen by lot as aforeſaid, ſhall be intituled to one half of the ſaid current price of a voluntier, without the order of the perſons aforeſaid, before whom the ſaid perſon choſen by lot, expreſſed under their hands.

and no money is to be paid on that head, but by an order of the dep. lieutenants before whom the perſons were choſen.

L. And be it enacted, That if any ſervant hired by the year, or otherwiſe, ſhall ſerve in the militia, it ſhall and may be lawful for one juſtice of the peace, upon complaint made to him on oath by ſuch ſervant, to order ſo much of his wages, as ſhall appear to ſuch juſtice to be due to ſuch ſervant, to be immediately paid him by his maſter or employer, in proportion to the ſervice he has performed, under the contract or agreement made between them at the time ſuch ſervant was hired; and the ſaid juſtice ſhall proceed therein in the ſame manner as is directed by an act paſſed in the twentieth year of the reign of his late Majeſty, intituled, *An act for the better adjuſting and more eaſy recovery of the wages of certain ſervants; and for the better regulation of ſuch ſervants, and of certain apprentices.*

Hired ſervants ſerving in the militia, upon application to a juſtice, ſhall recover the wages then due to them. Juſtice to proceed therein as directed by act 20 Geo. II.

LI. Provided always, and it is hereby enacted, That from and after the paſſing this act, it ſhall not be lawful for any perſon or perſons whatſoever (other than ſuch churchwardens and overſeers as aforeſaid, for the purpoſes aforeſaid) to contract, undertake, or agree with any perſon or perſons, for any ſum or ſums of money, or any other conſideration or reward, to indemnify or inſure any perſon or perſons liable to ſerve in the militia, againſt ſerving therein, or in like manner to contract, undertake, or agree, to provide a ſubſtitute or ſubſtitutes for any perſon or perſons who may be choſen by lot to ſerve in the militia, or to pay the penalty of ten pounds by this act laid upon any perſon choſen by lot to ſerve in the militia, and who ſhall refuſe or neglect to appear, and take the oath, and ſerve in the militia, or to provide a ſubſtitute; and if any perſon ſhall offend herein, every ſuch perſon ſhall, for every ſuch contract, undertaking, or agreement, forfeit and pay the ſum of one hundred pounds, to be recovered in any of his Majeſty's courts of record, by action of debt, bill, plaint, or information, wherein no eſſoin, protection, wager of law, or more than one imparlance, ſhall be allowed; one moiety of which penalty ſhall be applied to the uſe of the proſecutor, and the other moiety to the uſe of the poor of the pariſh wherein the offence ſhall be committed; and every ſuch contract, undertaking, or agreement, is hereby declared to be abſolutely null and void, to all intents and purpoſes whatſoever.

None but churchwardens and overſeers may make any pecuniary contract to indemnify or inſure perſons from ſerving in the militia, or to provide ſubſtitutes, or pay the 10l. in lieu thereof; on penalty of forfeiting 100l. One moiety thereof to go to the proſecutor, and the other to the poor of the pariſh, and the contract to be void.

LII. Provided, That nothing herein before contained, ſhall extend to prevent any perſon who ſhall have been actually choſen by lot to ſerve in the militia, from procuring, by himſelf or others, a proper perſon to ſerve as his ſubſtitute.

The above clauſe not to prevent perſons choſen by lot from procuring ſubſtitutes for themſelves; nor perſons of the ſame, or

LIII. Provided alſo, That nothing in this act ſhall extend to prevent perſons of the ſame pariſh, townſhip, tything, or place, or of two or more pariſhes, tythings, or places, added, or which may be added together, for the purpoſes of this act,

from

neighbouring pariſhes, from ſubſcribing towards paying jointly for ſubſtitutes, in

from entering into ſubſcriptions amongſt themſelves, for paying jointly for any ſubſtitute or ſubſtitutes who may be provided for any one or more of the ſubſcribing perſons, on whom the lot may fall.

the room of ſuch of them as ſhall be choſen by lot.

Hired voluntier or ſubſtitute inliſting in the army, ſuch inliſting is declared void, unleſs the money be returned to the overſeers of the pariſh, which is to be laid out by them in providing another fit perſon; and if the ſum be inſufficient, they are to be reimburſed the additional expence by a rate, and account for the ſurplus; and ſuch hired voluntier or ſubſtitute ſo inliſting, not informing the officer of his being in the militia, is to be committed to the houſe of correction not exceeding 3 months.

LIV. And be it enacted, That if any perſon ſworn and inrolled to ſerve in the militia as voluntier or ſubſtitute, ſhall have received any ſum of money from any perſon whatſoever for ſuch ſervice, and ſhall be inliſted to ſerve in his Majeſty's other forces, ſuch inliſting ſhall be, and the ſame is hereby declared to be, null and void, until the ſaid militia man, or the officer with whom he ſhall inliſt, ſhall have paid to the overſeer or overſeers of the pariſh or place, pariſhes or places, for which the ſaid militia man ſerved, the full ſum he received for ſuch his ſervice; which ſum ſhall be laid out by ſuch overſeer or overſeers, in or towards the providing another fit perſon to ſerve in the militia, for the ſpace of three years, in the place of the militia man ſo inliſted into his Majeſty's other forces: and in caſe the money ſo received ſhall not be ſufficient to provide another fit perſon to ſerve as aforeſaid, ſuch overſeer or overſeers ſhall be reimburſed ſuch further ſum of money as he ſhall pay for providing ſuch other fit perſon, in the ſame manner as is directed by this act upon the providing of voluntiers: and in caſe the money ſo received ſhall exceed the ſum expended in providing ſuch fit perſon as aforeſaid, the ſurplus ſhall be accounted for by ſuch overſeer or overſeers, as ſo much money in his or their hands for the purpoſes of providing voluntiers for ſuch pariſh or pariſhes, place or places: and in caſe ſuch militia man ſhall not, at the time of his inliſting, inform the officer with whom he inliſts, that he is a militia man, and for what pariſh, tything, or place, or pariſhes, tythings, or places, he ſerves, and ſhall be thereof convicted upon oath, before any one juſtice of the peace, it may and ſhall be lawful for ſuch juſtice, and he is hereby required, by warrant under his hand and ſeal, to commit ſuch militia man to the houſe of correction for any time not exceeding three months.

Serjeant, drummer, or fifer, beating up for voluntiers for the militia, the perſon who gave the orders forfeits 20 l. One moiety to the informer, and the other to the regimental ſtock; and the ſerjeant, &c. not declaring who gave ſuch orders, is to be committed to the houſe of correction not exceeding 3 months.

LV. And be it enacted, That if any ſerjeant, drummer, or fifer, ſerving in the militia, ſhall, in any city, town, or place, beat up for voluntiers to ſerve in the militia, the perſon who ſhall give ſuch ſerjeant, drummer, or fifer, orders for ſo doing, ſhall upon proof of ſuch beating up and ſuch orders given, upon oath, before any juſtice of the peace, forfeit and pay the ſum of twenty pounds; one moiety whereof ſhall be applied to the uſe of the perſon who ſhall make information thereof before any juſtice of the peace of ſuch beating up for voluntiers, and the other moiety ſhall be applied as part of the ſtock belonging to the regiment or battalion to which ſuch ſerjeant, drummer, or fifer ſhall belong: and if ſuch ſerjeant, drummer, or fifer, ſhall refuſe to declare, upon oath, before ſuch juſtice, from whom he received ſuch orders, it may and ſhall be lawful for ſuch juſtice, and he is hereby required, by warrant

warrant under his hand and ſeal, to commit ſuch ſerjeant, drummer, or fifer, to the houſe of correction, for any time not exceeding three months.

While the militia is out of its proper county, no perſon may be engaged to ſerve therein, who is not of the county to which ſuch regiment belongs.

LVI. And be it further enacted and declared, That no officer or non-commiſſion officer in the militia ſhall, during the time the regiment, battalion, or independent company, in which he ſerves, ſhall be out of the county, riding, or place, to which they belong, engage any perſon to ſerve as a militia man in ſuch regiment, battalion, or independent company, unleſs ſuch perſon ſo engaged ſhall be a native of the county to which the ſaid regiment, battalion, or independent company belongs.

A general meeting of the ld. lieut. and deputies, to be held annually on the laſt *Tueſday* in *May*, or *October*, as ſhall be judged moſt convenient; and the times and places to be then appointed for holding 4 or more ſubdiviſion meetings, and for the returns of new liſts to the firſt of thoſe meetings.

LVII. And be it enacted, That in the ſeveral counties, ridings, and places, where the militia has been or ſhall be raiſed, his Majeſty's lieutenant of every ſuch county, riding, and place, together with any two or more deputy lieutenants, and on the death or removal, or in the abſence, of his Majeſty's lieutenant, any three or more deputy lieutenants, ſhall meet annually on the laſt *Tueſday* in *May*, or on the laſt *Tueſday* in *October*, as they ſhall think moſt convenient for the due execution of this act; and ſhall appoint the times and places for holding four or more ſubdiviſion meetings of deputy lieutenants and juſtices of the peace in every year; and ſhall cauſe new liſts in the ſeveral pariſhes, tythings, and places, to be made and returned to the deputy lieutenants and juſtices of the peace at the firſt of the ſaid ſubdiviſion meetings, in the ſame manner as liſts are herein before directed to be made and returned in counties, ridings, and places, where the militia has not been raiſed.

Where any liſt ſhall be loſt or deſtroyed, the dep. lieutenants are to order new ones to be made and returned to their next ſubdiviſion meeting.

LVIII. And be it enacted, That if the liſt of any pariſh, tything, or place, ſhall be loſt or deſtroyed, it may and ſhall be lawful for any three deputy lieutenants, or any two deputy lieutenants together with any one juſtice of the peace, or any one deputy lieutenant together with any two juſtices of the peace, in their ſubdiviſions, to cauſe a new liſt in ſuch pariſh, tything, or place, to be made, and returned to them at their next ſubdiviſion meeting, in the ſame manner as the liſt loſt or deſtroyed was cauſed to be made and returned to them by direction of the general meeting of lieutenants and deputy lieutenants.

Dep. lieutenants are to hold their ſubdiviſion meetings purſuant to the appointment at the general meetings; and militia man appearing thereat, and ſhewing cauſe for his diſcharge, and producing, if embodied, a diſcharge from his commanding officer,——

LIX. And be it enacted, That the ſaid deputy lieutenants, or any three or more of them, or any two deputy lieutenants together with any one juſtice of the peace, or any one deputy lieutenant together with any two juſtices of the peace, ſhall meet in their ſeveral ſubdiviſions at the times appointed at the general meetings of his Majeſty's lieutenant and deputy lieutenants: And if any private militia man ſhall ſhew juſt cauſe for his diſcharge, and, being embodied, ſhall likewiſe produce a regular diſcharge from his commanding officer, the ſaid deputy lieutenants, or any three or more of them, or any two deputy lieutenants to-

they are to diſcharge him, and fill up all vacancies occaſioned thereby, or otherwiſe, after having amended the liſts, by proceeding to draw the lots, unleſs the number wanted ſhall be otherwiſe provided; and the perſons ſo choſen or their ſubſtitutes are to be inrolled for 3 years.

together with any one juſtice of the peace, or any one deputy lieutenant together with any two juſtices of the peace, ſhall and may, at ſuch ſubdiviſion meetings, diſcharge ſuch perſon from ſerving in the militia; and in the ſtead of the perſons ſo diſcharged, and alſo if there ſhould be any other vacancy by death or otherwiſe, ſuch deputy lieutenants, or any three or more of them, or any two deputy lieutenants together with any one juſtice of the peace, or any one deputy lieutenant together with any two juſtices of the peace, ſhall, after having amended the liſts in the ſame manner as the deputy lieutenants and juſtices, in their ſubdiviſions, are to amend the liſts in the ſeveral counties where the militia has not been raiſed, cauſe a like number of other perſons to be choſen by lot out of the liſts of ſuch pariſhes, tythings, or places, where ſuch vacancies ſhall happen, unleſs ſuch number of perſons ſhall be otherwiſe provided as is by this act directed; which perſons ſo choſen, or their ſubſtitutes provided and approved as aforeſaid, ſhall take the oath required by this act to be taken: and every perſon ſo choſen ſhall be inrolled, and every ſubſtitute ſo provided ſhall ſubſcribe his conſent to ſerve, and ſhall ſerve in the ſaid militia for the ſpace of three years, ſubject to the directions, proviſions, and penalties in this act contained.

A ſubdiviſion meeting may be held on 7 days notice, for filling up vacancies by death, or otherwiſe.

LX. Provided nevertheleſs, That it ſhall and may be lawful for any three deputy lieutenants, or any two deputy lieutenants together with any one juſtice of the peace, or any one deputy lieutenant together with any two juſtices of the peace, upon any vacancy or vacancies in the militia, by death or otherwiſe, to appoint a ſubdiviſion meeting for the filling up ſuch vacancy or vacancies, giving ſeven days notice thereof.

Vacancies occaſioned by the death, promotion to a halberd, or diſcharge of a ſubſtitute, to be filled up as in caſes of death, or diſcharge of perſons ſerving forthemſelves.

LXI. And be it enacted, That when any ſubſtitute ſhall, after having been approved by any three deputy lieutenants, or by any two deputy lieutenants together with any one juſtice of the peace, or by any one deputy lieutenant together with any two juſtices of the peace, and before the expiration of the term for which he was to ſerve, die, or be appointed a ſerjeant in the militia, or be legally diſcharged, the perſon for whom he ſerved as ſubſtitute ſhall not be obliged to ſerve himſelf, or to find another ſubſtitute; but ſuch vacancy ſhall be filled up in like manner as is directed by this act, in caſe of vacancies occaſioned by the death or diſcharge of perſons ſerving for themſelves.

Subſtitute may be ſworn in and inrolled before a dep. lieutenant in his ſubdiviſion, on producing a certificate of his having been ſeen and approved of by 2 dep lieutenants, &c.

LXII. And be it enacted, That for the purpoſe of ſwearing and inrolling men to ſerve in the militia, it ſhall and may be lawful for any one deputy lieutenant, at any place in the ſubdiviſion he uſually acts in, to ſwear and inrol any ſubſtitute to ſerve for any place in ſuch his ſubdiviſion; provided ſuch ſubſtitute ſhall produce to ſuch deputy lieutenant a certificate under the hands and ſeals of any two other deputy lieutenants, or of any one juſtice of the peace together with any one deputy lieutenant, or of any two juſtices of the peace acting in the ſame ſubdiviſion, or reſiding near the ſame, certifying they have ſeen, and do approve of, ſuch ſubſtitute as a proper perſon to ſerve in the militia,

militia, and ſuch perſon ſhall and may be ſworn and inrolled by ſuch deputy lieutenant only: Provided nevertheleſs, That the clerk belonging to ſuch ſubdiviſion ſhall and do attend with the roll at ſuch ſwearing and inrolling.

and the clerk of the ſubdiviſion meeting attending with the roll at the time.

LXIII. Provided always, and be it further enacted, That if any militia man ſhall, during the time that the regiment or battalion in which he ſerves ſhall be embodied, be diſcharged by the officer commanding ſuch regiment or battalion, ſuch diſcharge ſhall be ſufficient to prevent ſuch man from being liable to be apprehended as a deſerter, but ſhall not extend to cauſe another man to be choſen to ſerve for the pariſh, tything, or place, or pariſhes, tythings, or places, for which ſuch man ſo diſcharged did ſerve, unleſs he be likewiſe regularly diſcharged by the deputy lieutenant or deputy lieutenants and juſtices of the peace as aforeſaid.

Militia man embodied, and diſcharged by the commanding officer, is not liable to be apprehended as a deſerter; nor ſhall another be choſen in his room, unleſs he be diſcharged alſo by the dep. lieuts.

LXIV. And be it further enacted, That all ſuch militia men whoſe time of ſervice in the militia ſhall be near expiring, during the time the regiment, battalion, or independent company, in which they ſerved, ſhall be abſent from the county, riding, or place, to which they belong, ſhall be returned by the commanding officer of ſuch regiment, battalion, or independent company, to the county, riding, or place, for which they ſerved, ſo as that they may reach the ſaid county by the expiration of their term.

Militia men, whoſe time o ſervice ſhall be near expiring, are to be returned to their propercounty, ſo as they may reach the ſame by the expiration of their term.

LXV. And be it further enacted, That it ſhall and may be lawful for his Majeſty's lieutenant together with any two or more deputy lieutenants, and on the death or removal, or, in the abſence of his Majeſty's lieutenant, for any three or more deputy lieutenants, at a general meeting to be held after reaſonable notice thereof given, to change or alter any ſubdiviſion meeting or meetings, whenever they ſhall find it convenient ſo to do.

Subdiviſion meetings may be altered at a general meeting, held after reaſonable notice; but the ſubdiviſion meetings already appointed are to remain until they ſhall be by a general meeting altered.

LXVI. And be it further enacted, That, in order to ſave the trouble of appointing ſubdiviſion meetings every year in the ſeveral counties, ridings, and places aforeſaid, the ſeveral ſubdiviſion meetings therein now appointed, ſhall remain and continue until the ſame ſhall be altered by his Majeſty's lieutenant together with any two or more deputy lieutenants, or, on the death or removal, or, in the abſence of his Majeſty's lieutenant, by any three or more deputy lieutenants, at ſome general meeting.

LXVII. And be it enacted, That every militia man ſhall, if he changes the place of his abode from one pariſh, tything, or place, to another pariſh, tything, or place, the militia whereof ſhall ſerve in the ſame regiment or battalion, ſuch militia man ſhall continue to ſerve in ſuch regiment or battalion for the place from whence he removed, and ſhall not occaſion a vacancy, for ſuch pariſh, tything, or place, but ſhall be trained, exerciſed, and paid, by the officer of the company to which the militia of ſuch pariſh, tything, or place, to which he removed ſhall belong; and that every militia man, who ſhall change

Removal of a private man into another pariſh, &c. the militia whereof ſerves in the ſame regiment, does not alter his ſervice, nor occaſion a vacancy in his former pariſh;

change the place of his abode from one county to another county, or from one pariſh, tything, or place, to another pariſh, tything, or place, the militia whereof ſhall ſerve in different regiments or battalions, ſuch perſon ſhall ſerve, upon the firſt vacancy that ſhall happen, in ſuch regiment or battalion, until his ſervice ſhall be compleated: and every ſuch militia man ſhall, before he changes the place of his abode, give notice thereof to any three or more deputy lieutenants, or to any two deputy lieutenants together with any one juſtice of the peace, or to any one deputy lieutenant together with any two juſtices of the peace, at ſome ſubdiviſion meeting, or to one deputy lieutenant, who ſhall give to ſuch militia man a certificate of the time he ſhall have ſerved in the militia for the reſpective pariſh, tything, or place, from his inrolment to ſerve in the ſame; and if ſuch certificate ſhall have been given by one deputy lieutenant only, ſuch deputy lieutenant ſhall certify the ſame to the deputy lieutenants and juſtices of the peace at their next meeting within ſuch ſubdiviſion, and ſuch militia man ſhall produce the ſaid certificate to the deputy lieutenants and juſtices at the next meeting for the ſubdiviſion wherein he ſhall then dwell, or to one deputy lieutenant reſiding near the pariſh, tything, or place, to which he ſhall remove, who ſhall certify the ſame to the deputy lieutenants and juſtices of the peace, at their next ſubdiviſion meeting: and if any militia man ſo changing the place of his abode ſhall not give notice, and produce his certificate as aforeſaid, ſuch militia man ſo neglecting, and thereof convicted on oath before one or more juſtice or juſtices of the peace, ſhall forfeit and pay the ſum of twenty ſhillings; and if ſuch offender ſhall not immediately pay ſuch penalty, the ſame ſhall be levied by diſtreſs and ſale of his goods and chattels, by warrant under the hand and ſeal, or hands and ſeals, of ſuch juſtice or juſtices, rendering the overplus (if any) on demand, after deducting the charges of ſuch diſtreſs and ſale, to ſuch offender upon whom ſuch diſtreſs ſhall have been made, as aforeſaid; and for want of ſufficient diſtreſs, ſuch juſtice or juſtices ſhall commit ſuch offender to the houſe of correction for any time not exceeding one month.

but if the removal be into another county, &c. the militia whereof ſerves in different regiments, he ſhall ſerve his time out in the regiment of that place, upon the firſt vacancy; and he is to give previous notice of his removal to the D. lieutenants, and receive a certificate of his ſervice; and if given by 1 D. lieut. is to be certified to the next ſubdiviſion meeting; and the certificate itſelf to be produced at the ſubdiviſion meeting for the place to which he ſhall remove.

On neglect of giving ſuch notice, and producing certificate, he forfeits 20s. to be levied by diſtreſs and ſale; and for want of diſtreſs, he is to be committed not exceeding 1 month.

Clerk of the ſubdiviſion meeting is to give notice of ſuch militia man's change of abode, &c. to the clerk for the diviſion to which he ſhall remove.

LXVIII. And be it enacted, That the clerk to the ſubdiviſion meeting ſhall, upon notice given by any militia man of the changing of his place of abode, and of a certificate granted him as aforeſaid, forthwith give notice thereof to the clerk of the meeting for the ſubdiviſion to which the pariſh, tything, or place, where he then reſides ſhall belong.

No ſubſtitute is to be excuſed from ſerving for himſelf when choſen.

LXIX. Provided always, That no militia man having ſerved as a ſubſtitute, ſhall, by ſuch ſervice, be excuſed from ſerving for himſelf when he ſhall be choſen by lot.

Copies of the roll ſigned at the ſubdiviſion

LXX. And be it enacted, That the clerks of the ſubdiviſion meetings ſhall, within fourteen days after each ſubdiviſion

ſion meeting, tranſmit to his Majeſty's lieutenant of the county, riding, or place, fair and true copies of the rolls ſigned at the ſaid meetings.

meetings to be tranſmitted to the Ld. lieutenant in 14 days after each meeting.

LXXI. And be it enacted, That if any chief conſtable or other officer of any hundred, rape, lath, wapentake, or other diviſion, or any conſtable, tythingman, headborough, or other officer of any pariſh, tything, or place, ſhall refuſe or neglect to return ſuch liſts, from time to time, in manner aforeſaid, or to comply with ſuch orders and directions as he ſhall, from time to time, receive from his Majeſty's lieutenant, and the ſaid deputy lieutenants, or any three or more of them, or any two deputy lieutenants together with any one juſtice of the peace, or any one deputy lieutenant together with any two juſtices of the peace, in purſuance of this act, or ſhall, in making ſuch return, be guilty of any fraud or wilful partiality; any three or more deputy lieutenants, or any two deputy lieutenants together with any one juſtice of the peace, or any one deputy lieutenant together with any two juſtices of the peace, are hereby impowered and required to impriſon, in the common gaol of the reſpective county, riding, or place, ſuch chief conſtable or other officer of any hundred, rape, lath, wapentake, or other diviſion, or ſuch conſtable, tythingman, headborough, or other officer of any pariſh, tything, or place, there to be kept, without bail or mainprize, for the ſpace of one month, or, at their diſcretion, to fine ſuch officer in any ſum not exceeding five pounds, nor under forty ſhillings; ſuch fine to be levied by diſtreſs and ſale of the offender's goods and chattels, by warrant under the hands and ſeals of any three or more deputy lieutenants, or of any two deputy lieutenants together with any one juſtice of the peace, or of any one deputy lieutenant together with any two juſtices of the peace; rendering the overplus (if any) on demand, after deducting the charges of ſuch diſtreſs and ſale, to ſuch officer upon whom ſuch diſtreſs ſhall have been made as aforeſaid: and it may and ſhall be lawful for the deputy lieutenants, or any three or more of them, or any two deputy lieutenants together with any one juſtice of the peace, or any one deputy lieutenant together with any two juſtices of the peace, within their reſpective ſubdiviſions, from time to time, to iſſue out their order or warrant, under their hands and ſeals, commanding the attendance of the conſtable, tythingman, headborough, or other officer of any pariſh, tything, or place, within their ſeveral ſubdiviſions, at ſuch times and places as in ſuch order or warrant ſhall be expreſſed; and if ſuch conſtable, tythingman, headborough, or other officer, ſhall refuſe or neglect to appear according to ſuch order or warrant, ſuch conſtable, tythingman, headborough, or other officer, ſhall ſuffer the pains and penalties aforeſaid.

Conſtables or other officers neglecting to return the liſts, or comply with their orders, or being guilty of fraud or partialty in their returns, to be impriſoned for one month, or fined not exceeding 5l. nor leſs than 40s. to be levied by diſtreſs and ſale.

Dep. lieutenants may iſſue their order, commanding the occaſional attendance of the conſtable, or other pariſh officer; and on his diſobeying ſuch order, may fine or impriſon him.

LXXII. And be it enacted, That any perſon who ſhall, by gratuity, gift, or reward, or by promiſe thereof, or of any indemnification, or by menaces, endeavour to prevail on any chief conſtable, or any conſtable, tythingman, headborough, or other officer, of any pariſh, tything, or place, to make a falſe return

Perſons tampering with the conſtables to make falſe returns, or to eraſe, &c, the

name of any perſon out of the liſts, forfeit 5ol. to the proſecutor; and perſons refuſing to declare their own names, or thoſe of their lodgers, &c. forfeit 10l.

turn of any liſt for any pariſh, tything, or place, or to eraſe or leave out of any ſuch liſt the name of any ſuch perſon as ought to be returned, every ſuch perſon ſhall, for every ſuch offence, forfeit and pay the ſum of fifty pounds, to be recovered by action of debt, bill, plaint, or information, in any of his Majeſty's courts of record at *Weſtminſter*, wherein no eſſoin, wager of law, or protection, or more than one imparlance, ſhall be allowed; all which penalties ſhall go to the uſe of the perſon or perſons who ſhall ſue for the ſame: and if any perſon ſhall refuſe to tell his chriſtian and ſurname, or the chriſtian and ſurname of any man lodging or reſiding within his or her houſe, to any conſtable, tythingman, or other officer, authorized by this act to demand the ſame, every ſuch perſon ſhall forfeit and pay the ſum of ten pounds.

Dep. lieutenants being informed of, or ſuſpecting, the fraudulent binding-out of perſons returned in the liſt as apprentices, in order to avoid ſerving, may ſummon and examine witneſſes upon oath touching the ſame; and if any fraud ſhall appear, they are to appoint ſuch perſon to ſerve immediately, or upon the firſt vacancy that ſhall happen; and the maſter to whom ſuch perſon was ſo bound ſhall forfeit 10l. to be levied by diſtreſs and ſale: One moiety thereof to go to the informer, if any.

LXXIII. And be it enacted, That if any three or more deputy lieutenants, or any two deputy lieutenants, together with any one juſtice of the peace, or any one deputy lieutenant together with any two juſtices of the peace, ſhall, at any of their ſubdiviſion meetings, receive information, or ſhall ſuſpect, that any perſon inſerted in any liſt, deſcribed as an apprentice, has been fraudulently bound apprentice in order to avoid ſerving in the militia, it may and ſhall be lawful for any three or more deputy lieutenants, or any two deputy lieutenants together with any one juſtice of the peace, or any one deputy lieutenant together with any two juſtices of the peace, to make inquiry into the binding out ſuch perſon apprentice, and to ſummon ſuch perſons as they ſhall think neceſſary to appear before them, at ſuch time and place as they ſhall appoint, and to examine ſuch perſons, upon oath, touching the matter in queſtion: and in caſe any ſuch fraud ſhall appear in the binding out ſuch perſon apprentice, it may and ſhall be lawful for ſuch deputy lieutenants, or deputy lieutenants and juſtice, or deputy lieutenant and juſtices, to appoint ſuch perſon, ſo bound apprentice, to ſerve immediately in the militia for the pariſh, tything, or place, for which ſuch liſt ſhall have been returned, if there ſhall be a vacancy; and if there ſhall be no vacancy at that time, then upon the firſt vacancy that ſhall happen therein: and the perſon to whom ſuch apprentice ſhall be ſo bound, ſhall forfeit and pay the ſum of ten pounds; which penalty, in caſe the ſame ſhall not be forthwith paid, ſhall be levied by diſtreſs and ſale of the offender's goods and chattels, by warrant under the hands and ſeals of ſuch deputy lieutenants, or deputy lieutenants and juſtice, or deputy lieutenant and juſtices, or any three or more of them, returning the overplus, if any, after all charges paid, to the perſon whoſe goods and chattels ſhall be ſo diſtrained; one moiety whereof ſhall be applied to the uſe of the informer, if any, and the other moiety, or, if there ſhall be no informer, then the whole of ſuch penalty, ſhall be applied in manner herein after-mentioned.

Ld. lieutenant is to tranſmit, from

LXXIV. And be it enacted, That his Majeſty's lieutenant of every county, riding, and place, ſhall, and he is hereby required to tranſmit to his Majeſty's privy council, from time to time, a true

ſtate

ſtate of the numbers of perſons fit to ſerve in the militia for the county, riding, or place, of which he is lieutenant; and that after all the ſaid numbers ſhall be tranſmitted to his Majeſty's privy council, according to the directions aforeſaid, it may and ſhall be lawful for the ſaid council, and they are hereby required to fix and ſettle, as near as may be, the number of private militia men who ſhall for the future ſerve for each county, riding, or place, within the part of *Great Britain* aforeſaid, by the proportion which the numbers returned for each county, riding, or place, bear to the whole number of private militia men by this act directed to be raiſed within the part of *Great Britain* aforeſaid, and forthwith to tranſmit accounts of the numbers ſo fixed and ſettled, to all his Majeſty's lieutenants of counties, ridings, and places, within the part of *Great Britain* aforeſaid, reſpectively; and where the number of private militia men ſo fixed and ſettled as aforeſaid, ſhall be reſpectively greater than the number of private militia men who ſhall be by virtue of this act appointed to ſerve for any county, riding, or place, then, and in ſuch caſe, his Majeſty's lieutenant together with any two or more deputy lieutenants, and on the death or removal, or in the abſence of his Majeſty's lieutenant, any three or more deputy lieutenants, ſhall, at a general meeting to be held for that purpoſe, appoint what number of private militia men ſhall ſerve for each reſpective hundred, rape, lath, wapentake, or other diviſion, within the county, riding, or place, to which they belong; and the additional number of private militia men to make up the whole number ſo fixed and ſettled as aforeſaid, ſhall be provided or choſen in the ſame manner as all other private militia men are by this act directed to be provided or choſen: and all the additional men ſo provided or choſen, or their ſubſtitutes (to be appointed as ſubſtitutes are required to be by this act) and voluntiers, ſhall take the oath by this act required to be taken, and ſhall reſpectively be inrolled, or ſign their conſent to ſerve in the militia, in the ſame manner as is directed, and ſhall be ſubject, in caſe of refuſal, to the ſame penalties as are in like caſes inflicted by this act: and where the number of private militia men ſo fixed and ſettled as aforeſaid, ſhall be reſpectively leſs than the number of private militia men who ſhall be, by virtue of this act, appointed to ſerve for any county, riding, or place, then, and in ſuch caſe, his Majeſty's lieutenant together with any two or more deputy lieutenants, and on the death or removal, or in the abſence of his Majeſty's lieutenant, any three or more deputy lieutenants, ſhall, at a general meeting to be held for that purpoſe, diſcharge by lot proportionably out of each reſpective hundred, rape, lath, wapentake, or other diviſion, ſo many private militia men as ſhall exceed the number ſo fixed and ſettled as aforeſaid.

time to time, to the privy council, a ſtate of the numbers of perſons in the county fit to ſerve; and the privy council is thereupon to ſettle the quota of men to ſerve, by the proportion the returns for each county bear to the whole number to be raiſed within the kingdom; and are forthwith to tranſmit accounts of the numbers ſo ſettled to the Ld. lieutenants: and where the number ſhall be greater than is appointed by the act, a general meeting is to be held by the Ld. lieut. and deputies, and the additional men are to be then provided or choſen in like manner as is directed in other caſes; and where the number ſettled ſhall be leſs than is appointed by the act, the ſupernumeraries ſhall be diſcharged by lot.

LXXV. And be it enacted, That in caſe it ſhall at any time appear to his Majeſty's lieutenant and any two or more deputy lieutenants, or on the death or removal, or in the abſence of his Majeſty's lieutenant, to any three or more deputy lieutenants, of any

Where the numbers to be raiſed ſhall appear at a general meeting

to have been unequally or erroneouſly apportioned amongſt the ſeveral hundreds or diviſions of the county; or that by alteration of circumſtances the ſame is become unequal, &c.

any county, riding, or place, at their general meeting, that the diſtribution by them made of the whole number of militia men charged upon ſuch county, riding, or place, among the ſeveral hundreds, rapes, laths, wapentakes, or other diviſions, was either unequally and erroneouſly made, or, from any ſubſequent alteration of circumſtances, is become unequal and diſproportionable, it may and ſhall be lawful for his Majeſty's ſaid lieutenant and any two or more deputy lieutenants, or on the death or removal, or in the abſence, of his Majeſty's lieutenant, for any three or more deputy lieutenants, to make a new and more equal diſtribution of ſuch number as aforeſaid among the ſaid ſeveral hundreds, rapes, laths, wapentakes, or other diviſions, according to the method preſcribed by this act for making the original diſtribution, and to cauſe ſuch additional number of men to be provided or choſen, or ſuch number to be diſcharged out of thoſe before provided or choſen for each reſpective hundred, rape, lath, wapentake, or other diviſion, as ſhall become neceſſary in conſequence of ſuch new diſtribution, in like manner as is by this act preſcribed to be done, where the ſame ſhall become neceſſary in conſequence of the accounts tranſmitted from his Majeſty's privy council.

the Ld. lieutenant and deputies may make a new and more equal diſtribution; and raiſe and diſcharge men conformable thereto.

Serjeant and militia man exempted from ſtatute-work and pariſh offices; and from being obliged to ſerve in his Majeſty's land or ſea forces.

LXXVI. And be it enacted, That no ſerjeant or private man ſerving in the militia ſhall, during the time of ſuch ſervice, be liable to do perſonally any highway duty, commonly called *Statute-work*, or be appointed to ſerve as a peace officer or pariſh officer, or be liable to ſerve in any of his Majeſty's land or ſea forces, unleſs he ſhall conſent thereto.

Militia man falling ſick on a march, or at the place of annual exerciſe, is to be provided for by an order from the magiſtrate, or juſtice of the place; and the expence is to be reimburſed by his proper pariſh.

LXXVII. And be it enacted, That in caſe any private man ſerving in the militia, ſhall on the march, or at the place where he ſhall be called out to annual exerciſe, be diſabled by ſickneſs, it ſhall and may be lawful for any one juſtice of the peace of the county, or any mayor or chief magiſtrate of any city, town, or place, where ſuch man ſhall then be, to order him ſuch relief as he ſhall think reaſonable, by warrant under his hand and ſeal; and the officers of the pariſh, tything, or place, for which ſuch man ſhall ſerve as a militia man, ſhall reimburſe the ſame to the officers of the pariſh where ſuch militia man ſhall then receive ſuch relief, which ſhall be allowed in their accounts, upon producing the above order.

No perſon having ſerved 3 years, is liable to ſerve again but in rotation.

LXXVIII. And be it enacted, That no perſon having ſerved perſonally or by ſubſtitute three years in the militia, ſhall be obliged to ſerve again, until by rotation it comes to his turn.

The ſame liberty is granted to militia men being married and embodied, to

LXXIX. And be it enacted, That every man having ſerved in the militia when drawn out and embodied, being a married man, may ſet up and exerciſe any ſuch trade as he is apt and able for, in any town or place within the kingdoms of *Great Britain* and *Ireland*, without any let, ſuit, or moleſtation, of any perſon or perſons

perſons whatſoever, for or by reaſon of the uſing ſuch trade, as freely, and with the ſame proviſions, and under the ſame regulations, and with the like exception in reſpect to the two univerſities of that part of *Great Britain* called *England*, as any mariner or ſoldier may do by an act paſſed in the twenty ſecond year of his late Majeſty's reign, intituled, *An act to enable ſuch officers, mariners, and ſoldiers, as have been in his Majeſty's ſervice ſince his acceſſion to the throne, to exerciſe trades.*

ſet up trades within Great Britain or Ireland, as by act 22 Geo. II. is granted to mariners or ſoldiers.

LXXX. And be it enacted, That no private militia man ſhall be intituled to his clothes for his own uſe, until he ſhall have ſerved for the ſpace of three years, if the regiment or battalion in which he ſerves ſhall be unembodied; but if ſuch regiment or battalion in which he ſerves ſhall be drawn out and embodied, the clothes ſhall, at the end of one year, be applied in ſuch manner as the colonel or commanding officer of his regiment or battalion ſhall judge beſt for the uſe of ſuch militia man.

Militia man, if unembodied, is not intituled to his clothes, till he has ſerved 3 years; but if embodied, they are to be applied to his uſe at the end of 1 year.

LXXXI. And be it enacted, That if any militia man who ſhall have been accepted and inrolled as a ſubſtitute, hired man, or voluntier, before the twenty ſecond day of *May* one thouſand ſeven hundred and ſixty, or if any militia man who ſhall have been choſen by lot, whether before or after the twenty ſecond day of *May*, one thouſand ſeven hundred and ſixty, ſhall, when embodied, and called out into actual ſervice, and ordered to march, leave a family unable to ſupport themſelves, the overſeer or overſeers of the poor of the pariſh, tything, or townſhip, where the family of ſuch militia man ſhall dwell, ſhall, by order of ſome one juſtice of the peace, out of the rates for the relief of the poor of ſuch pariſh, tything, or townſhip, pay to ſuch family a weekly allowance, according to the uſual and ordinary price of labour in huſbandry within the ſaid county, riding, diviſion, diſtrict, or place, where ſuch family ſhall dwell, by the following rule; that is to ſay, for one child under the age of ten years, any ſum not exceeding the price of one day's labour; for two children under the age aforeſaid, any ſum not exceeding the price of two days labour; for three or four children under the age aforeſaid, any ſum not exceeding the price of three days labour; for five or more children under the age aforeſaid, any ſum not exceeding the price of four days labour; and for the wife of ſuch militia man, any ſum not exceding the price of one day's labour; and in every pariſh, tything, or townſhip, where the money ariſing by ſuch rates ſhall not be ſufficient for the purpoſe aforeſaid, a new rate or rates ſhall be made for raiſing a ſum ſufficient for that purpoſe: and every ſuch weekly allowance ſhall be forthwith reimburſed to the overſeer or overſeers of of ſuch pariſh, tything, or townſhip, by the treaſurer of the county, riding, or place, where ſuch pariſh, tything, or townſhip ſhall be ſituate, out of the public ſtock of ſuch county, riding, or place.

Overſeers are to pay out of the poor rates, by order of ſome juſtice, a weekly allowance to the diſtreſs'd families of ſuch men embodied and called out, as ſhall have been choſen by lot, and of ſuch ſubſtitutes, hired men, and voluntiers, as were inrolled before 22 May, 1760, according to the uſual price of labour in husbandry within the county, and the number and age of the children: viz. for 1 child under 10 years, 1 day's labour; 2 ditto, 2 days labour; 3 or 4 ditto, 3 day's labour; 5 or more ditto, 4 days labour: for the wife 1 day's labour: and where the ſaid rates ſhall be inſufficent, a new rate is to be made; and the overſeers are to be reimburſed forthwith out of the county ſtock.

Treaſurer of the county is to keep an account of the monies ſo reimburſed to the overſeers, and return half-yearly the ſaid accounts with thoſe received from the city treaſurer, &c. into the exchequer.

LXXXII. And be it enacted, That the treaſurer of every county, riding, diviſion, and place, ſhall and is hereby required to keep exact and diſtinct accounts of all the monies that ſhall have been ſo by him reimburſed, to ſuch overſeer or overſeers as aforeſaid, in purſuance of the directions of this act; and ſhall at the end of ſeven calendar months from the paſſing of this act, and afterwards at the end of every ſix calendar months, return the ſaid accounts, together with the accounts which he ſhall have received from the ſeveral treaſurers of the cities, towns, liberties, or places, to the office of the treaſurer's remembrancer of the court of exchequer.

Where any city or place ſhall not be liable by act 12 Geo. II. to contribute to county rates, the juſtices may appoint a treaſurer, and aſſeſs each pariſh, proportionate to their uſual poors rate, in a ſum ſufficient to reimburſe the overſeers the weekly allowances paid by them; and ſuch treaſurer is to reimburſe the ſaid overſeers, and keep an account of the monies paid by him, and tranſmit the ſame half-yearly to the county treaſurer.

LXXXIII. Provided always, and be it enacted, That in all cities, towns, liberties, diviſions, and places, which are not liable to contribute to county rates by virtue of an act made in the twelfth year of his late Majeſty's reign, intituled, *An act for the more eaſy aſſeſſing, collecting, and levying of county rates*, the juſtices of the peace for every ſuch city, town, liberty, diviſion, and place, at any ſeſſions or meeting, or the major part of them then and there aſſembled, may and ſhall appoint a treaſurer, and ſhall aſſeſs upon every pariſh, tything, townſhip, hamlet, or vill, within the limits of their reſpective juriſdictions, in ſuch proportions as the rates heretofore made for the relief of the poor have been uſually aſſeſſed; and ſhall cauſe to be paid out of the money collected and levied for the relief of the poor of every ſuch pariſh, tything, townſhip, hamlet, or vill, into the hands of ſuch treaſurer, ſuch ſum or ſums of money as they in their diſcretion ſhall think ſufficient for reimburſing to the overſeer or overſeers of the ſeveral pariſhes, tythings, townſhips, hamlets, or vills, within the limits of their reſpective juriſdictions, the amount of the weekly allowances paid by ſuch overſeer or overſeers to the families of the militia men reſiding within their reſpective juriſdictions as aforeſaid; and every ſuch treaſurer ſhall forthwith reimburſe the ſame to every ſuch overſeer or overſeers accordingly: and ſuch treaſurer is hereby required to keep exact and diſtinct accounts of all the monies that ſhall have been ſo paid into his hands, and ſo by him reimburſed to ſuch overſeer or overſeers as aforeſaid; and ſhall, at the end of every ſix calendar months, tranſmit the ſaid accounts to the treaſurer of the county or riding which ſuch city, town, liberty, diviſion, and place, is, by this act, united with and made part of for the purpoſes of this act: provided that the treaſurer of the city of *Lincoln* and county of the ſaid city, ſhall tranſmit his accounts to the treaſurer of the diviſion of *Linſey*, within the county of *Lincoln*.

Treaſurer of the city, &c. of Lincoln is to tranſmit his accounts to the treaſurer of Linſey diviſion.

Allowances made within the city and county of the city of Exeter, are to be paid

LXXXIV. Provided always, and be it enacted, That within the city and county of the city of *Exeter*, all allowances to be made by virtue of this act to the families of perſons ſerving in the militia, ſhall be paid by the treaſurer or treaſurers of the corporation of the governor, deputy governor, aſſiſtants, and guardians,

guardians, of the poor of the city and county of *Exeter*; and that the ſame ſhall be aſcertained, aſſeſſed, raiſed, collected, and levied, by ſuch and the ſame ways and means as the money raiſed for the relief of the poor within the ſaid city and county is, by virtue of two acts of parliament, the one of them made in the ninth and tenth years of King *William* the Third, and the other of them in the thirty firſt year of his late Majeſty King *George* the Second, directed to be raiſed: and it ſhall and may be lawful for the ſeveral perſons authorized to put the ſaid acts in execution, to cauſe to be raiſed and levied ſuch ſum or ſums as ſhall be neceſſary for that purpoſe, over and above what they are already authorized to raiſe for the relief of the poor of the ſaid city and county; and all and every perſon and perſons who are by the ſaid acts, or either of them, required to do any act, matter, or thing, for the aſcertaining, aſſeſſing, confirming, or altering of aſſeſſments, collecting and levying the ſums thereby directed to be raiſed for the relief of the poor, are hereby required and authorized to do all ſuch and the like acts, matters, and things, for the aſcertaining, aſſeſſing, confirming, or altering aſſeſſments, collecting and levying the money hereby directed to be raiſed, and ſhall be ſubject to all ſuch forfeitures and penalties, in caſe of their neglect or refuſal to perform the ſame, as are impoſed upon offences of the like nature by the above mentioned acts, or either of them; and alſo in the ſame manner, and by the ſame ways and means, to raiſe and levy, or cauſe to be raiſed and levied, ſuch further ſum and ſums of money as ſhall have been advanced and paid by the treaſurer of the corporation of the poor for the maintenance of ſuch wives and families, and ſhall cauſe the ſame to be repaid to the treaſurer of the ſaid corporation.

by the treaſurer of the guardians of the poor, and to be aſſeſſed and levied as their poors rate is by acts 9 Will. III. and 31 Geo. II. directed;
and to be additional to what they are authorized to raiſe for their poor rate;
and to be raiſed and levied under like penalties;
and the money already advanced and paid by the ſaid treaſurer towards the ſaid allowances is to be raiſed and levied in like manner.

LXXXV. Provided alſo, and be it enacted, That all monies to be levied by pariſh rates to be made within the city and county of the city of *Briſtol*, by virtue of this act, ſhall be paid, aſcertained, aſſeſſed, raiſed, collected, levied, and repaid, in ſuch manner, and by ſuch and the ſame ways and means, as are preſcribed to be obſerved in raiſing money for the relief of the poor within the ſaid city and county of the city of *Briſtol*, by virtue of any act or acts of parliament relating thereto; and that it ſhall and may be lawful for the ſeveral perſons authorized to put the ſaid acts in execution, to cauſe to be raiſed and levied ſuch ſum or ſums, over and above what they are already authorized to raiſe for the relief of the poor of the ſaid city and county, and alſo in the ſame manner, and by the ſame ways and means, to raiſe and levy, or cauſe to be raiſed and levied, ſuch further ſum and ſums of money as ſhall have been advanced and paid by the treaſurer of the corporation of the poor, and ſhall cauſe the ſame to be repaid to the treaſurer of the ſaid corporation; and that all and every perſon and perſons, who are by the ſaid acts, any or either of them, required to do any act, matter, or thing, for the aſcertaining, aſſeſſing, confirming or altering of aſſeſſments, collecting and levying the ſums thereby directed to be raiſed for the

Monies to be levied by this act, by pariſh rates in Briſtol,
are to be raiſed and paid, &c. as the poor rate there;
and to be additional to what is already authorized to be raiſed there:
and the money already advanced by the treaſurer of the corporation of the poor is to be aſſeſſed and repaid him;
and all acts

requiſite thereto, are to be done, under like penalties, as are preſcribed with reſpect to officers neglecting their duty in execution of the poor laws there

the relief of the poor, are hereby required and authorized to do all ſuch and the like acts, matters, and things, for the aſcertaining, aſſeſſing, confirming, or altering aſſeſſments, collecting and levying the money hereby directed to be raiſed, and ſhall be ſubject to all ſuch forfeitures and penalties, in caſe of their neglect or refuſal to perform the ſame, as are impoſed upon officers of the like nature by the above mentioned acts, any or either of them.

Where treaſurers ſhall reimburſe to overſeers any money, on account of the weekly allowance to the families of militia men ſerving in any county, other than that wherein ſuch families dwell, they are to tranſmit an account thereof, ſigned by a juſtice, to the treaſurer of the county wherein ſuch men ſerve, who is to reimburſe them the ſame.

LXXXVI. Provided always, and be it enacted, That the treaſurer of any county, riding, city, town, liberty, diviſion, or place, within the part of *Great Britain* aforeſaid, who ſhall, after the paſſing of this act, reimburſe to any overſeer or overſeers of the poor of any pariſh, tything, townſhip, hamlet, or vill, any ſum or ſums of money, in purſuance of the directions of this act, on account of the weekly allowance to the family of any militia man, ſerving in the militia of any county, riding, city, town, liberty, diviſion, or place, other than the county, riding, city, town, liberty, diviſion, or place, where ſuch family ſhall dwell, ſhall deliver or tranſmit an account of ſuch money as he ſhall have ſo reimburſed as aforeſaid, ſigned by one or more juſtice or juſtices of the peace for the county, riding, city, town, liberty, diviſion, or place, where ſuch family ſhall dwell, to the treaſurer of the county, riding, city, town, liberty, diviſion, or place, in the militia whereof ſuch militia man ſhall ſerve; and thereupon the treaſurer, to whom ſuch account ſhall have been delivered or tranſmitted as aforeſaid, ſhall, and is hereby required to pay to the treaſurer who ſhall have ſo delivered or tranſmitted ſuch account, the ſum or ſums ſo by him reimburſed to ſuch overſeer or overſeers, and ſhall be allowed the ſame in his accounts.

If a quaker be choſen, and refuſes to ſerve, or provide a ſubſtitute, the dep. lieutenants may provide one, and levy the expence by diſtreſs and ſale;

LXXXVII. And be it enacted, That if any perſon, being one of the people called *Quakers* ſhall be choſen by lot to ſerve in the militia, and ſhall refuſe or neglect to appear, and to take the oath, and ſerve in the militia, or to provide a ſubſtitute, to be approved as aforeſaid, who ſhall take the ſaid oath, and ſubſcribe his conſent to ſerve as the ſubſtitute of ſuch quaker; then, and in every ſuch caſe, any three deputy lieutenants, or any two deputy lieutenants together with any one juſtice of the peace, or any one deputy lieutenant together with any two juſtices of the peace, ſhall, if they think proper, upon as reaſonable terms as may be, provide and hire a fit perſon, who ſhall take the ſaid oath, and ſubſcribe his conſent to ſerve in the ſaid militia for the ſpace of three years, as the ſubſtitute of ſuch quaker; and any three deputy lieutenants, or any two deputy lieutenants together with any one juſtice of the peace, or any one deputy lieutenant together with any two juſtices of the peace, are hereby impowered and required to levy by diſtreſs and ſale of the goods and chattels of ſuch quaker, by warrant under their hands and ſeals, ſuch ſum or ſums as ſhall be neceſſary to defray the expence

pence of providing and hiring ſuch perſon to ſerve in the militia, for the ſpace of three years, as the ſubſtitute of ſuch quaker, ſo refuſing or neglecting, as aforeſaid; rendering the overplus, if any, after deducting the charges of ſuch diſtreſs and ſale, to ſuch quaker, upon whom ſuch diſtreſs ſhall have been made as aforeſaid: and in caſe any meaſures ſhall be uſed in making diſtreſs as aforeſaid, which may be by any ſuch quaker thought oppreſſive, it ſhall be lawful for ſuch quaker to complain thereof to the deputy lieutenants and juſtices of the peace, at their next meeting, who are hereby impowered and required to hear and finally determine the ſame.

but if any oppreſſive meaſures be uſed in making ſuch diſtreſs, he is to be redreſs'd, upon complaint made by him:

LXXXVIII. Provided always, and be it further enacted by the authority aforeſaid, That in every pariſh, tything, or place, or two or more pariſhes, tythings, or places, ſo added together as aforeſaid, in which any ſuch rates ſhall be made, where the churchwardens or overſeers ſhall make complaint to a juſtice of the peace, that a quaker or quakers refuſe to pay the ſum or ſums of money he or they ſhall be rated at, ſuch juſtice may and ſhall order ſuch coſt and charges, for levying ſuch diſtreſs, as he ſhall think reaſonable, not exceeding the ſum of ten ſhillings on each of the ſaid quakers where there are no more than two of them, and, where there are a greater number, not exceeding five ſhillings on each of the ſaid quakers.

And where any quakers ſhall refuſe to pay to the rates authorized by this act to be made, the juſtices, upon complaint of the churchwardens, may order reaſonable coſt and charges for levying the diſtreſs, in proportion to the ſums here allowed.

LXXXIX. And be it enacted and declared, That it may and ſhall be lawful for any deputy lieutenant or juſtice of the peace to act in the execution of this act, in any and every ſubdiviſion within the county, riding, or place, for which he is or ſhall be commiſſioned; and that each and every ſuch deputy lieutenant and juſtice of the peace hath and ſhall have the ſame power and authority therein, as is by this act given to any deputy lieutenant or juſtice of the peace, within the ſubdiviſion to which he is or ſhall be particularly appointed.

Dep. lieutenants and juſtices may act in any and every ſubdiviſion of the county for which they are commiſſion'd.

XC. And be it enacted, That his Majeſty's lieutenant for any county, riding, or place, may and ſhall appoint a clerk for the general meetings within ſuch county, riding, or place, and may diſplace ſuch clerk if he ſhall think fit, and appoint another in his room; and the deputy lieutenants within their reſpective ſubdiviſions, or the major part of them preſent, may and ſhall appoint a clerk for their ſubdiviſion, and may diſplace ſuch clerk, if they or the major part of them preſent ſhall think fit, and appoint another in his room.

A clerk for the general meetings is to be appointed by the Ld. lieut. and clerks for the ſubdiviſion meetings by the D. lieuts.

XCI. And be it enacted, That any two deputy lieutenants together with any one juſtice of the peace, or any one deputy lieutenant together with any two juſtices of peace, within the counties of *Cumberland*, *Huntingdon*, *Monmouth*, *Weſtmorland*, and *Rutland*, and within all the ſeveral counties and places within the ſaid dominion of *Wales*, reſpectively, ſhall have and exerciſe all and every the powers conferred by this act on any three deputy lieutenants of any county, riding, or place, within that

2 D. lieuts. and 1 juſtice, or 1 deputy and 2 juſtices, may exerciſe the ſame powers in the counties of Cumberland,

part of *Great Britain* called *England*; any thing herein contained to the contrary notwithſtanding.

Huntingdon, *Monmouth*, *Weſtmorland*, *Rutland*, and *Wales*, as are conferred on 3 deputy lieutenants of any other county.

Where a ſufficient number to act ſhall not appear at any ſubdiviſion meeting, the clerk is to give 5 days notice of another meeting to be held within 14 days after the former meeting.

XCII. And be it enacted, That if it ſhall happen that there ſhall not appear at any ſubdiviſion meeting, a ſufficient number of deputy lieutenants and juſtices of the peace to act, the clerk of ſuch meeting ſhall, by notice given in writing to all the deputy lieutenants within ſuch ſubdiviſion, or left at their reſpective places of abode, appoint another meeting to be held within fourteen days at the ſame place where ſuch meeting had been before appointed to be held, giving at leaſt five days notice thereof.

Fines for not ſerving are to be applied in providing ſubſtitutes; and the ſurplus, if any, to be applied as part of the regimental ſtock.

XCIII. And be it enacted, That all ſums of money ariſing by forfeitures paid by, or levied upon, perſons refuſing to ſerve in the militia perſonally or by ſubſtitute, ſhall be applied, in the firſt place, by any three deputy lieutenants, or by any two deputy lieutenants together with any one juſtice of the peace, or by any one deputy lieutenant together with any two juſtices of the peace, within their reſpective ſubdiviſions, in providing a ſubſtitute for the perſon who ſhall have paid ſuch penalty; and if any part of ſuch penalty ſhall remain after ſuch ſubſtitute ſhall be provided, the ſame ſhall be paid to the colonel or commanding officer of the regiment or battalion, and be applied as part of the regimental ſtock.

Perſons liable to ſerve, having more than one place of reſidence, ſhall be deemed to reſide in, and ſhall ſerve only in the county where firſt returned in the liſt; and certificates, if required, ſhall be granted *gratis* of ſuch returns.

XCIV. And be it enacted, That every perſon liable to ſerve in the militia, having more than one place of reſidence, ſhall be deemed to reſide only and ſhall ſerve as a militia man, within the county, riding, or place, where his name ſhall have been firſt inſerted in a liſt, and returned as herein directed, ſubjecting him to ſuch ſervice; and the clerk to the ſubdiviſion meeting to which ſuch liſt ſhall be returned, ſhall, if any ſuch perſon require the ſame, grant a certificate *gratis*, under his hand, that ſuch perſon's name was inſerted in ſuch liſt, ſpecifying the times when ſuch liſt was made and returned.

A general meeting is to be held of the lord lieut. and deputies, &c. within a month after the return of the rolls from the deputy lieutenants to form the men, (if not already) into regiments of 12 but not leſs

XCV. And be it enacted, That within one month after the ſaid rolls are ſo returned from the deputy lieutenants and juſtices of the peace as aforeſaid, his Majeſty's lieutenant together with any two or more deputy lieutenants, and on the death or removal, or in the abſence of his Majeſty's lieutenant, any three or more deputy lieutenants, ſhall meet together, and form and order the militia for their reſpective counties, ridings, or places (where the ſame has not already been formed and ordered) into regiments, conſiſting, where the number of militia men will admit the ſame, of twelve, but in no caſe of leſs than eight, companies of eighty men at the moſt, and ſixty men at the leaſt, of perſons living as near to each other as conveniently can be; and ſhall poſt to each company proper officers commiſſioned

miſſioned and qualified aforeſaid; (that is to ſay) the field officers of a regiment ſhall be, one colonel, one lieutenant colonel, and one major; and where the number of private men ſhall amount to five companies, or to any number under eight companies, ſuch militia ſhall be formed into a battalion, with one lieutenant colonel, and one major, and no other field officer; and where the number of private men ſhall amount to three companies, or to any number under five companies, ſuch militia ſhall alſo be formed into a battalion, with one lieutenant colonel or major, and no other field officer: and in each regiment or battalion of militia, a number of captains, lieutenants, and enſigns, equal to the number of companies in ſuch regiment or battalion, grenadier companies excepted, wherein there ſhall be one captain and two lieutenants.

more companies, but leſs than 8, they are to be formed into battalions, colonel, and 1 major; and to a battalion of 3 companies, or leſs than 5, or major; and 1 capt. lieut. and enſign to each company, grenadier cepted, wherein are to be 1 captain and 2 lieutenants.

than 8 companies of 80 men at the moſt, and 60 men at the leaſt, and poſt the officers, *viz.* 1 colonel, 1 lieutenant colonel, and 1 major, to each regiment; and where the number of men ſhall make 5 or with 1 lieut. 1 lieut. colonel companies ex-

XCVI. And be it enacted, That where the militia of any county, riding, or place, has been already formed and ordered, his Majeſty's lieutenant together with any two deputy lieutenants of ſuch county, riding, or place, ſhall, if the ſaid militia ſhall be then diſembodied, within two months after the paſſing this act, reform the ſame, according to the rules by this act preſcribed for the firſt forming and ordering the militia; and if the ſame ſhall be embodied, then within two months after it ſhall be diſembodied and returned to the reſpective counties.

to the rules preſcribed for the firſt forming and ordering them.

Where the militia has been already formed and ordered, they are, within 2 months after being diſembodied, &c. to be re-formed, according

XCVII. And be it enacted, That in every county, riding, and place, and in every city and town being a county, within the part of *Great Britain* aforeſaid, where the number of private militia men ſhall not be ſufficient to form a regiment or battalion, according to the intent and meaning of this act, the following eſtabliſhment ſhall take place therein; (that is to ſay) the militia of ſuch counties, ridings, places, cities, and towns, ſhall be formed into independent companies, each company to conſiſt of eighty private men at the moſt, and ſixty private men at the leaſt, with one captain, one lieutenant, and one enſign, to each company; and it ſhall be lawful for his Majeſty, his heirs, and ſucceſſors, to join together any number of ſuch independent companies, and therewith to form a battalion or battalions, or to incorporate them with any regiment or battalion, regiments or battalions of militia, but ſo as the number of companies in any ſuch regiment or battalion do not exceed, or fall ſhort of, the number of companies of which a regiment or battalion of militia is herein before reſpectively allowed to conſiſt.

regiment or battalion, ſo as the number of companies therein does not ſhort of, the number a regiment or battalion ought to conſiſt of.

Where the number of men ſhall not be ſufficient to compoſe a regiment or battalion, they are to be formed into independent companies from 60 to 80 men each, with 1 capt. 1 lieut. and 1 enſign; and they may be joined, and formed into battalions, or be incorporated with ſome exceed, or fall

XCVIII. And be it enacted by the authority aforeſaid, That when any regiment or battalion of militia ſhall be unembodied,

When a regiment or battalion ſhall be

unembodied, the commanding officer may appoint a regimental clerk thereto.

bodied, the colonel, or, where there is no colonel, the commanding officer, ſhall and may appoint a regimental clerk to ſuch regiment or battalion.

The militia is to be trained and exerciſed, by regiment or battalion, twice a year, 14 days each time, or once a year, for 28 days together, at the moſt convenient times and places; during which time all the proviſions in the act for puniſhing mutiny and deſertion, not extending to life or limb, are to take place for the officers and men;

XCIX. And be it enacted, That the militia ſhall be trained and exerciſed in the manner following; (that is to ſay) by regiment or battalion twice in a year fourteen days at each time, or once in a year for twenty eight days together, as ſhall be directed by his Majeſty's lieutenant and any two or more deputy lieutenants, and on the death or removal, or in the abſence, of his Majeſty's lieutenant, by any three or more deputy lieutenants, at ſ ch time and place, or times and places, as ſhall be leaſt inconvenient to the public, to be by them appointed at a general meeting; and that, during ſuch time as the militia ſhall be ſo trained and exerciſed, all the proviſions contained in any act of parliament which ſhall be then in force for the puniſhing mutiny and deſertion, and for the better payment of the army and their quarters, ſhall extend to, and take place in reſpect of, the officers and private militia men of every regiment or battalion, but not to extend to life or limb.

who are to be quarter'd and billeted by the civil magiſtrate, in inns, livery ſtables, and publick houſes, application for that purpoſe being made by the commanding officer:

C. And be it enacted, That it ſhall and may be lawful for the mayors, bailiffs, conſtables, tythingmen, headboroughs, and other chief magiſtrates and officers, of cities, towns, pariſhes, tythings, villages, and other places, within that part of *Great Britain* called *England*, dominion of *Wales*, and town of *Berwick upon Tweed*, and in their default or abſence, for any one juſtice of the peace inhabiting within or near any ſuch city, town, pariſh, tything, village, or place, and for no others, and they are hereby required, to quarter and billet the officers and private men ſerving in the militia, at the times when they ſhall be called out to annual exerciſe, in inns, livery ſtables, ale-houſes, victualling-houſes, and all houſes of perſons ſelling brandy, ſtrong waters, cyder, wine, or metheglin, by retail, upon application to them made by the lord lieutenant, or by the colonel or commanding officer of the militia of the county, riding, or place.

Serjeants, drummers, and fifers, are to be quarter'd and billeted in like manner;

but are to be provided with convenient lodgings only, at ſuch times as no proviſion has by law been made for that purpoſe.

CI. And be it enacted, That it ſhall and may be lawful for the mayors, bailiffs, conſtables, tythingmen, headboroughs, and other chief magiſtrates and officers of cities, towns, pariſhes, tythings, villages, and other places, within that part of *Great Britain* called *England*, the dominion of *Wales*, and the town of *Berwick upon Tweed*, and in their default or abſence, for any one juſtice of the peace inhabiting in or near any ſuch city, town, pariſh, tything, village, or place, and for no others, and they are hereby required to quarter and billet ſerjeants, drummers, and fifers, ſerving in the militia, in inns, livery ſtables, ale-houſes, victualling-houſes, and all houſes of perſons ſelling wine, brandy, ſtrong waters, cyder, or metheglin, by retail, the occupiers whereof are hereby required to provide for ſuch ſerjeants,

jeants, drummers, and fifers, at ſuch times for which no proviſion has by law been made for that purpoſe, convenient lodgings only.

A return is to be made to the lord lieutenant of the ſtate of the regiment, &c. while unembodied, when called out to exerciſe.

CII. And be it enacted, That the colonel or commanding officer of every regiment or battalion of unembodied militia ſhall, and he is hereby required, as often as the regiment or battalion ſhall be called out to exerciſe, to return to his Majeſty's lieutenant of the county, riding, or place, for which ſuch regiment or battalion ſhall ſerve, a true ſtate of ſuch regiment or battalion.

Notice of the times and places of exerciſe to be ſent to the chief conſtables, to be forwarded by them to the pariſh, &c. and to be affixed on the church doors of the reſpective pariſhes; and if any militia man (not being diſabled) neglect to appear according to ſuch notice, he forfeits 20l. and on non-payment, is to be committed for 6 months,

CIII. And be it enacted, That notice of the time and place, or times and places, of exerciſe to which the militia men of each pariſh, tything, or place, are to reſort, ſhall be ſent by the clerk of the general meeting to the chief conſtables or other officers of the ſeveral hundreds, rapes, laths, wapentakes, or other diviſion, with directions to forward the ſame to the conſtables, tythingmen, headboroughs, or other officers of the ſeveral pariſhes, tythings, or places, within their reſpective hundreds, rapes, lathes, wapentakes, or other diviſions; which conſtables, tythingmen, headboroughs, or other pariſh officers, ſhall cauſe ſuch notice to be fixed on the doors of the churches or chapels belonging to their reſpective pariſhes, tythings, or places, or if any place, being extraparochial, ſhall have no church or chapel belonging thereto, on the door of the church or chapel of ſome pariſh, tything, or place, thereunto adjoining; and all ſuch militia men ſhall duly attend at the times and places of exerciſe ſo to be appointed: and if any militia man (not labouring under any infirmity incapacitating him) ſhall not appear at ſuch time and place, or times and places, ſo appointed in ſuch notice as aforeſaid, every ſuch militia man being convicted thereof, upon oath, before one juſtice of the peace, ſhall forfeit and pay the ſum of twenty pounds; and if ſuch militia man ſhall not immediately pay ſuch penalty, the juſtice of the peace, before whom ſuch militia man ſhall be ſo convicted, ſhall, by warrant, commit ſuch militia man to the common gaol of the county, riding, or place, where he ſhall have been ſo convicted, there to remain without bail or mainprize for the ſpace of ſix months, or until he ſhall have paid the penalty aforeſaid.

or until he ſhall have paid the penalty.

The captain is to have the charge of the arms, clothes, and accoutrements of his company; and the churchwardens are to provide cheſts for the ſafe keeping thereof;

CIV. And be it enacted, That the captain of each company of militia ſhall keep in his own cuſtody, or leave and depoſit with the ſeveral ſerjeants belonging to his company, or with ſuch perſon or perſons as the ſaid captain ſhall appoint for that purpoſe, the arms, clothes, and accoutrements, provided for his company of militia; and the churchwardens of every pariſh or place where the ſaid arms, clothes, and accoutrements, are ſo depoſited, or one of them, is and are hereby required to provide, at the expence of ſuch pariſh or place, a cheſt, in which ſuch captain, ſerjeant, or other perſon ſo appointed as aforeſaid, ſhall keep the ſaid arms in ſome dry part of his houſe or dwelling, under lock and key, and another cheſt in which he ſhall keep, under lock and key, the ſaid clothes and accoutrements; and

and

and care is to be taken that the men return them in good order after exerciſe.

and the ſerjeant, or ſuch other perſon as ſhall be appointed to train and diſcipline the men, is hereby required to take care that, after exerciſe, every militia man cleans and returns his arms, clothes, and accoutrements, to his captain, or to ſuch perſon or perſons as ſhall be appointed as aforeſaid to receive the ſame.

The lord lieut. or deputies in his abſence, may ſeize and remove the arms, &c. when neceſſary to the publick peace;

CV. And be it enacted, That his Majeſty's lieutenant of any county, riding, or place, or, in the abſence of his Majeſty's lieutenant, any three or more deputy lieutenants, is and are hereby authorized, by warrant under his hand and ſeal, or their hands and ſeals, to employ ſuch perſon or perſons as he or they ſhall think fit, to ſeize and remove the arms, clothes, and accoutrements, belonging to the militia, whenever his Majeſty's ſaid lieutenant or deputy lieutenants ſhall adjudge it neceſſary to the peace of the kingdom, and to deliver the ſaid arms, clothes, and accoutrements, into the cuſtody of ſuch perſon or perſons as his Majeſty's ſaid lieutenant or deputy lieutenants ſhall appoint to receive the ſame, for the purpoſes of this act.

and lodge them with other perſons.

Perſons intruſted with the cuſtody of the arms, &c. delivering out the ſame, unleſs for exerciſe, or by proper command, may be committed for 6 months.

CVI. And be it enacted, That if any ſerjeant, or any other perſon intruſted by the captain with the cuſtody of any arms, clothes, or accoutrements belonging to the militia, ſhall deliver out any ſuch arms, clothes, or accoutrements, unleſs for exerciſing the men, or by the command of his ſuperior officer, it may and ſhall be lawful for any two or more juſtices of the peace to commit ſuch offender to the common gaol of the county, riding, or place, where the offence ſhall be committed, there to remain without bail or mainprize for any time not exceeding ſix months.

No pay, arms, or clothing, are to be iſſued, nor adjutant or ſerjeants appointed, till 3 fifths of the men and officers have been inrolled, and taken out their commiſſions.

CVII. And be it further enacted by the authority aforeſaid, That no pay, arms, accoutrements, or clothing, ſhall be iſſued, and that no adjutant or ſerjeant ſhall be appointed, for the militia of any county, riding, or place, until it ſhall appear by a return ſigned by his Majeſty's lieutenant, or on the death or removal, or in the abſence, of his Majeſty's lieutenant, by any three deputy lieutenants, that three fifths of the militia men of the ſaid county, riding, or place, have been inrolled, and that three fifths of the officers have taken out their commiſſions.

Muskets for the militia are to be marked with an (M) and the name of the county, &c.

CVIII. And be it enacted, That all muſkets delivered for the ſervice of the militia ſhall be marked diſtinctly in ſome viſible place with the letter M, and the name of the county, riding, or place to which they belong.

Militia man who ſhall ſell, pawn, or loſe, his arms, clothes, or accoutrements, forfeits 3 l.

CIX. And be it enacted, That if any militia man ſhall ſell, pawn, or loſe, any of his arms, clothes, or accoutrements, and ſhall be thereof convicted upon oath before any one juſtice of the peace, ſuch militia man ſhall forfeit and pay a ſum not exceeding three pounds; and if ſuch militia man ſhall not immediately pay ſuch penalty, the juſtice of the peace before whom ſuch militia man ſhall be ſo convicted as aforeſaid, ſhall, by warrant,

rant, commit ſuch militia man to the houſe of correction for the ſpace of one month, and until ſatisfaction be made for the ſame; and if he ſhall not be of ability to make ſuch ſatisfaction, then for the ſpace of three months: and if any militia man ſhall refuſe or neglect to return his arms, clothes, and accoutrements, in good order to his captain, or to ſuch perſon as ſhall be appointed as aforeſaid to receive the ſame, whenever demanded, ſuch militia man, being thereof convicted as aforeſaid, ſhall, for every ſuch offence, forfeit and pay the ſum of ten ſhillings; and if ſuch militia man ſhall not immediately pay ſuch penalty, the juſtice of the peace before whom ſuch militia man ſhall be ſo convicted as aforeſaid, ſhall, by warrant, commit ſuch militia man to the houſe of correction for any time not exceeding fourteen days.

and on non-payment, is to be committed to the houſe of correction for 1 month, and until ſatisfaction be made; and if not of ability to pay, he is to be committed for 3 months; and if he neglect to return them in good order when demanded, he forfeits 10 s. and on non-payment, is to be committed for any time not exceeding 14 days.

CX. And be it enacted, That if any perſon ſhall knowingly and willingly buy, take in exchange, conceal, or otherwiſe receive, contrary to the true intent and meaning of this act, any arms, clothes, or accoutrements belonging to the militia, upon any account or pretence whatſoever, the perſon ſo offending, being convicted thereof, upon oath, before one or more juſtice or juſtices of the peace, ſhall forfeit and pay, for every ſuch offence, the ſum of five pounds: and if ſuch offender ſhall not immediately pay ſuch penalty, the juſtice or juſtices of the peace before whom ſuch offender ſhall be ſo convicted as aforeſaid, ſhall, by warrant under the hand and ſeal, or hands and ſeals, of ſuch juſtice or juſtices, levy the ſame by diſtreſs and ſale of the offender's goods and chattles, rendering the overplus (if any) on demand, after deducting the charges of ſuch diſtreſs and ſale, to ſuch offender, upon whom ſuch diſtreſs ſhall have been made as aforeſaid; and for want of ſuch diſtreſs, ſhall commit ſuch offender to the common gaol of the county, riding, or place, where the offence ſhall have been committed, there to remain without bail or mainprize, for the ſpace of three months, or ſhall cauſe ſuch offender to be publickly whipped, at the diſcretion of ſuch juſtice or juſtices.

If any perſon ſhall knowingly and unlawfully buy, exchange, conceal, or receive any of the ſaid arms, clothes, or accoutrements, he forfeits 5 l. for every ſuch offence, to be levied by diſtreſs and ſale; and for want of diſtreſs, he may be committed for 3 months, or be publickly whipt, at the diſcretion of the juſtice.

CXI. Provided always, and be it enacted, That no officer of the militia, or private militia man, ſhall be liable to any penalty or puniſhment, for or on account of his abſence during the time he ſhall be going to vote at any election of a member to ſerve in parliament, or during the time he ſhall be returning from ſuch election.

None are liable to penalty for abſence, during the time of going to vote for a member of parliament, or returning.

CXII. And be it enacted, That if the ſerjeant, or other perſon, appointed by any captain of the militia to receive and keep in his cuſtody the arms, clothes, and accoutrements thereto belonging, ſhall not complain, within three days, to ſome neighbouring juſtice of the peace, of any militia man's not having returned his arms, clothes, and accoutrements as before directed, ſuch

If the perſon intruſted with the care of the arms, &c. ſhall not within 3 days complain to

any juſtice of any militia man not having duly returned the ſame, he forfeits 20 s. to be levied by diſtreſs and ſale.

ſuch ſerjeant or other perſon appointed as aforeſaid, being thereof convicted on oath before one of his Majeſty's juſtices of the peace, ſhall forfeit and pay the ſum of twenty ſhillings; which penalty, if the offender ſhall not immediately pay the ſame, ſhall be levied by diſtreſs and ſale of the offender's goods and chattles, by warrant under the hand and ſeal of the juſtice of the peace before whom ſuch offender ſhall be ſo convicted as aforeſaid, rendering the overplus (if any) on demand, after deducting the charges of ſuch diſtreſs and ſale, to ſuch offender, upon whom ſuch diſtreſs ſhall have been made as aforeſaid.

The ſerjeants are to receive their military orders from the adjutant, and ſuperior officers; and are to report to them, or to 2 deputy lieutenants, or a civil magiſtrate, the crimes and miſdemeanors of the men.

CXIII. And be it enacted, That the ſeveral ſerjeants ſhall receive all their military orders, with reſpect to the training the militia men under their care, from the adjutant and their ſuperior officers; and are hereby required to report, from time to time, all crimes and miſdemeanors of the ſeveral militia men under their command, to their adjutant or ſuperior officers, or to any two or more deputy lieutenants, or to ſome civil magiſtrate, as the caſe ſhall require.

Non-commiſſion officer being negligent in his duty, or inſolent, or diſobedient to his ſuperior officer, forfeits any ſum not exceeding 30 s. and on non-payment, may be committed for 14 days; and is liable to be diſcharged.

CXIV. And be it enacted, That if any non-commiſſion officer ſhall be negligent in his duty, or inſolent or diſobedient to the orders of the adjutant, or other his ſuperior officer, and be thereof convicted as aforeſaid, upon the oath of the adjutant, or other ſuperior officer, before one or more juſtice or juſtices of the peace, ſuch non-commiſſion officer ſhall forfeit and pay any ſum not exceeding thirty ſhillings, at the diſcretion of ſuch juſtice or juſtices; and if ſuch non-commiſſion officer ſhall not immediately pay ſuch penalty, the juſtice or juſtices of the peace before whom ſuch non-commiſſion officer ſhall be ſo convicted as aforeſaid, ſhall, by warrant, commit ſuch non-commiſſion officer to the houſe of correction for the ſpace of fourteen days; and his Majeſty's lieutenant, or the colonel or commanding officer of the regiment or battalion, may diſcharge ſuch non-commiſſion officer, if he ſhall think fit.

Chief conſtables and others are required to be aiding and aſſiſting to the lord lieutenants, deputies, and juſtices, &c. in the execution of this act.

CXV. And be it enacted, That all chief conſtables, petty conſtables, tythingmen, headboroughs, and other officers, of hundreds, rapes, laths, wapentakes, pariſhes, tythings, and places, within that part of *Great Britain* called *England*, and the dominion of *Wales*, ſhall, and they are hereby required to be aiding and aſſiſting to his Majeſty's ſaid reſpective lieutenants, and their deputy lieutenants, and to the juſtices of the peace, and to any of them, and to all to whom any power or authority is by this act given, in the execution thereof.

In caſe of actual invaſion, or imminent danger thereof, or of rebellion, the King, having firſt commu-

CXVI. And be it enacted, That in caſe of actual invaſion, or upon imminent danger thereof, or in caſe of rebellion, it may and ſhall be lawful for his Majeſty, his heirs, and ſucceſſors (the occaſion being firſt communicated to parliament, if the parliament ſhall be then ſitting, or declared in council, and notified by proclamation, if no parliament ſhall be then ſitting or in being) to order and direct his or their lieutenants, and on their death

death or removal, or in their abſence from their reſpective counties, ridings, or places, any three or more deputy lieutenants, with all convenient ſpeed, to draw out and embody all the regiments and battalions of militia of their reſpective counties, ridings, or places, already raiſed, and not yet embodied, or herein appointed to be raiſed and trained, or ſo many of them as his Majeſty, his heirs, and ſucceſſors, ſhall, in his or their great wiſdom, judge neceſſary, in ſuch manner as ſhall be beſt adapted to the circumſtances of the danger; and to put the ſaid forces under the command of ſuch general officers as his Majeſty, his heirs, or ſucceſſors, ſhall be pleaſed to appoint over them; and to direct them to be led by their reſpective officers into any parts of this kingdom for the ſuppreſſion of ſuch invaſions and rebellions: and the officers of the militia and private militia men of the regiments, battalions, and independent companies, already embodied, or hereafter to be embodied, ſhall, from the time of their being drawn out and embodied as aforeſaid, and until they ſhall be returned again, by order of their commanding officers, to their reſpective pariſhes or places of abode, remain under the command of ſuch general officers, and ſhall be intitled to the ſame pay as the officers and private men in his Majeſty's other regiments of foot receive, and no other; and the officers of the militia ſhall, during ſuch time as aforeſaid, rank with the officers of his Majeſty's other forces of equal degree with them, as the youngeſt of their rank; and, during ſuch time, all the proviſions contained in any act of parliament which now is or ſhall be then in force for the puniſhing mutiny and deſertion, and for the better payment of the army and their quarters, ſhall extend to, and take place in reſpect of, the officers and private militia men of every ſuch regiment, battalion, or independent company of militia reſpectively (excepting only as to ſuch particulars as are or ſhall be otherwiſe eſpecially provided for by this or any act or acts of parliament, hereafter to be made, for regulating the militia forces within the part of *Great Britain* aforeſaid) and when they ſhall be returned again to their reſpective pariſhes or places of abode, they ſhall be under the ſame orders and directions only, as they were before they were drawn out and embodied as aforeſaid; and if any non-commiſſion officer of the militia or private militia man ſhall be maimed or wounded in actual ſervice, he ſhall be equally intitled to the benefit of *Chelſea Hoſpital* with any non-commiſſion officer or private ſoldier belonging to his Majeſty's other forces; and his Majeſty's lieutenant of every ſuch county, riding, or place, and on the death or removal, or in the abſence of his Majeſty's lieutenant from his county, riding, or place, any three or more deputy lieutenants, ſhall iſſue his or their order to the chief conſtables or other officers of the reſpective hundreds, rapes, laths, wapentakes, or other diviſions, with directions to forward the ſame immediately to the conſtables, tythingmen, headboroughs, or other officers of the ſeveral pariſhes, tythings, and places, within their reſpective diviſions; and ſuch conſtables,

nicated the occaſion to parliament, if ſitting, and if not, to the council, and notified the ſame by proclamation, may order the militia to be drawn out and embodied; or ſo many of them as he ſhall judge neceſſary; and put them under command of general officers; and direct them to be led into any parts of the kingdom for the ſuppreſſion of invaſions and rebellions; and they are to receive pay as the King's other regiments of foot, till they ſhall be returned again; and the officers are to rank with thoſe of equal degree in his Majeſty's other forces, as the youngeſt of their rank; and are to be under all the proviſions of the mutiny act; excepting where it is otherwiſe ſpecially provided for; and when returned to their own pariſhes, they are to be under the ſame orders and directions only, as before they were

drawn out and embodied: And any non-commiſſioned officer or private man being maimed or wounded in the ſervice, are equally intitled, with thoſe of his Majeſty's other forces, to Chelſea Hoſpital.

bles, tythingmen, headboroughs, or other officers, are hereby required, upon receipt thereof, forthwith to give or leave in writing, notice, or cauſe ſuch notice to be given to the ſeveral militia men, or left at the uſual places of their reſpective abodes within their reſpective pariſhes, tythings, or places, to attend at the time and place mentioned in ſuch order; and if any militia man ſo ordered to be drawn out and embodied as aforeſaid (not labouring under any infirmity incapacitating him to ſerve as a militia man) ſhall not appear and march in purſuance of ſuch order, every ſuch militia man being convicted thereof, upon oath, before two or more juſtices of the peace, ſhall forfeit and pay the ſum of forty pounds; and if ſuch militia man ſhall not immediately pay ſuch penalty, the juſtices of the peace, before whom ſuch militia man ſhall be ſo convicted, ſhall, by warrant, commit ſuch militia man to the common gaol of the county, riding, or place, where he ſhall have been ſo convicted, there to remain without bail or mainprize for the ſpace of twelve months, or until he ſhall have paid the penalty aforeſaid: and if any perſon ſhall harbour or conceal any militia man, not attending when ordered out into actual ſervice, knowing him to be a militia man, and ſhall be thereof convicted upon oath, before any juſtice of the peace, every ſuch perſon ſhall, for every ſuch offence, forfeit and pay the ſum of five pounds, to be levied by diſtreſs and ſale of the offender's goods and chattles, by warrant under the hand and ſeal of ſuch juſtice, rendering the overplus, if any, after deducting the ſaid penalty, and the charge of ſuch diſtreſs and ſale, to the party whoſe goods and chattles ſhall be ſo diſtrained and ſold; and for want of ſufficient diſtreſs, it may and ſhall be lawful for ſuch juſtice, and he is hereby required, to commit ſuch offender to the houſe of correction for the ſpace of two months, or to cauſe ſuch offender to be publickly whipped, at the diſcretion of ſuch juſtice.

The lord lieut. or deputies, are to iſſue orders of the embodying to the chief conſtables, to be forwarded to the petty conſtables, who are thereupon to give notice to the men to attend; and any man, not being diſabled, refuſing to appear and march, forfeits 40 l. and on non-payment, is to be committed for 12 months, or until payment of the penalty: And any perſon knowingly harbouring or concealing any abſconding when called out into actual ſervice, forfeits 5 l. to be levied militia man, by diſtreſs and ſale; and for want of diſtreſs, he may be committed for 2 months, or be publickly whipped.

CXVII. And be it enacted, That if at any time (in caſe of actual invaſion, or upon imminent danger thereof, or in caſe of rebellion) the parliament ſhall happen to be ſeparated by ſuch adjournment or prorogation as will not expire within fourteen days, it ſhall be lawful for his Majeſty, his heirs, and ſucceſſors, to iſſue a proclamation for the meeting of the parliament upon ſuch day as he or they ſhall thereby appoint, giving fourteen days notice of ſuch appointment; and the parliament ſhall accordingly meet upon ſuch day, and continue to ſit and act in like manner to all intents and purpoſes, as if it had ſtood adjourned or prorogued to the ſame day.

In caſe of invaſion, or imminent danger thereof, or of rebellion, the parliament if adjourned, or prorogued, above 14 days, is to be ſummoned to meet; and are to ſit and act as if adjourned, or prorogued, to the day of ſuch meeting.

CXVIII. And be it enacted, That the officers of the militia and private militia men, who ſhall be drawn out and embodied, ſhall be

Officers and men are inti-

be intitled to pay from the day of the date of his Majeſty's warrant for that purpoſe.

tled to pay, from the date of the King's warrant for their being embodied.

CXIX. And be it enacted, That when any regiment or battalion of militia ſhall be drawn out and embodied, and during the time they ſhall continue embodied, the colonel, or, where there is no colonel, the commanding officer of ſuch regiment or battalion, ſhall and may appoint an agent to ſuch regiment or battalion; and ſuch colonel, and, where there is no colonel, the commanding officer, ſhall be and is hereby made ſubject and liable to make good all deficiencies that may happen upon account of the pay, clothing, or publick ſtock of ſuch regiment or battalion: and ſuch colonel, and, where there is no colonel, the commanding officer, ſhall take ſecurity from the agent ſo appointed.

When a regiment, &c. is drawn out and embodied, the commanding officer is to appoint an agent thereto, taking ſecurity; and is liable to make good any deficiencies of pay, clothing, or regimental ſtock.

CXX. And be it enacted, That when the militia of any county, riding, or place, ſhall be ordered out into actual ſervice, it ſhall and may be lawful for the captain of any company of militia to augment his company, by incorporating, with the conſent of his Majeſty's lieutenant, or, in the abſence of his Majeſty's lieutenant, with the conſent of two or more of the deputy lieutenants, any number of perſons who ſhall offer themſelves as voluntiers, and who ſhall appear to him to be ſufficiently trained and diſciplined, and provided with proper clothes, arms, and accoutrements, and who ſhall take the oath appointed to be taken by this act, and ſign their conſent to ſerve in the militia for the time of ſuch actual ſervice, and to ſubmit to the ſame rules and articles of war as militia men are by this act liable to during the time of their continuing in actual ſervice.

A captain may, with leave, augment his company, when order'd out into actual ſervice, with voluntiers, if properly diſciplined, and provided, and who will take the oath appointed, and ſign the rolls, and be ſubject to the articles of war.

CXXI. And be it enacted, That no officer ſerving in the militia ſhall ſit in any court martial upon the trial of any officer or ſoldier ſerving in any of his Majeſty's other forces; nor ſhall any officer ſerving in any of his Majeſty's other forces, ſit in any court martial upon the trial of any officer or private man ſerving in the militia.

Officers of the militia and his Majeſty's other forces are not to ſit indiſcriminately on trials for offences committed by the different corps.

CXXII. And be it enacted, That when the militia of any county, riding, or place, ſhall be ordered out into actual ſervice, or ſhall be out in actual ſervice, the receiver or receivers general of the land tax for ſuch county, riding, or place, ſhall, and he or they is and are hereby required to pay, or cauſe to be paid, to the captain or other commanding officer of each company of militia ſo ordered out, or being out in ſervice for ſuch county, riding, or place, one guinea for each private militia man belonging to his company, whether ſuch militia man marched with the company when firſt drawn out, or was ordered out afterwards to join ſuch company, to be paid over by ſuch captain or other officer to every ſuch private militia man who belonged to his company at the time ſuch militia was ordered out into

Receivers general of the land tax are to pay to the captain or commanding officer of ſuch company when order'd out into actual ſervice, 1 guinea per man for each private man belonging thereto,

into actual ſervice, on or before the day appointed for marching; and to ſuch militia man, who ſhall be afterwards ordered out, when he ſhall join his company; and ſuch receiver or receivers general ſhall be allowed the ſame in his or their accounts.

whether ſuch man marched with the company when firſt drawn out, or was afterwards ordered to join ſuch as ſhall be

it; to be paid over by the captain to the men before they march; and to afterwards order'd out, when they ſhall join the companies.

CXXIII. And be it enacted, That when the militia ſhall be called out to be trained and exerciſed, it may and ſhall be lawful for any juſtice of the peace of any county, riding, or place, being duly thereunto required by an order from his Majeſty's lieutenant, or from any deputy lieutenant of the county, riding, or place, or from the colonel or other chief commiſſion officer upon the place of any regiment, company, or detachment of militia, to iſſue out his warrant, under his hand, to the chief conſtables of hundreds, rapes, laths, wapentakes, or diviſions, or to the conſtables, tythingmen, headboroughs, or other officers of the pariſhes, tythings, or places, from, through, near, or to which any ſuch regiment or company of militia men, or any detachment thereof, ſhall be ordered to march, requiring them to make ſuch proviſion for carriages of the arms, clothes, accoutrements, powder, match, bullets, or other warlike materials, with able men to drive ſuch carriages, as is and are mentioned in the ſaid order; but in caſe ſuch ſufficient carriages and men cannot be provided within any ſuch county, riding, hundred, rape, lath, wapentake, diviſion, pariſh, tything, or place, then the next juſtice or juſtices of the peace ſhall, upon ſuch order as aforeſaid being ſhewn unto him or them, iſſue his or their warrant to the chief conſtables, conſtables, tythingmen, headboroughs, or other ſuch officers of the next county, riding, hundred, rape, lath, wapentake, diviſion, pariſh, tything, or place, for the purpoſes aforeſaid, to make up ſuch deficiency of carriages: and ſuch lieutenant, deputy lieutenant, colonel, or other chief commiſſion officer upon the place, who, by virtue of the aforeſaid warrant from the ſaid juſtice of the peace, ſhall demand ſuch carriages of ſuch chief conſtable, conſtable, tythingman, headborough, or other officer, is and are hereby required, at the ſame time, to pay down in hand to the chief conſtable, conſtable, tythingman, headborough, or other officer, for the uſe of the perſon who ſhall provide ſuch carriages and men, the ſum of one ſhilling for every mile any waggon with five horſes ſhall travel; and the ſum of one ſhilling for every mile any wain with ſix oxen, or with four oxen and two horſes, ſhall travel; and the ſum of nine pence for every mile any cart with four horſes ſhall travel; and ſo in proportion for carriages drawn by a leſs number of horſes or oxen; for which reſpective ſums ſo received, the ſaid chief conſtable, conſtable, tythingman, headborough, or other officer, is hereby required to give a receipt in writing to the perſon or perſons paying the ſame; and ſuch chief conſtable, conſtable, tythingman, headborough, or

When the militia ſhall be called out to be trained, the juſtices of the peace, upon an order from the lord lieutenant or deputy, or commanding officer, are to iſſue warrants for providing ſuch carriages for the uſe of the troops, as are order'd, with able men to drive them; and where a ſufficient number cannot be provided within the county, &c. the neighbouring juſtices are to iſſue warrants for furniſhing what ſhall be ſo wanted. Officer is to pay down to the conſtable the following rates for the uſe of ſuch carriages, 1 s. for every mile a waggon with 5 horſes, or a wain with 6 oxen, or 4 oxen and 2 horſes; 9 d. for every cart with 4 horſes; and ſo in proportion; for which a receipt is to

or other officer, ſhall order and appoint ſuch perſon or perſons having carriages within their reſpective hundreds, rapes, laths, wapentakes, pariſhes, tythings, or places, as they ſhall think proper, to provide and furniſh ſuch carriages and men according to the warrant aforeſaid; which perſons ſo ordered are hereby required to provide and furniſh the ſame accordingly for one day's journey, and no more: and in caſe the chief conſtables, conſtables, tythingmen, headboroughs, or other officers, ſhall be at any charges for ſuch carriages, over and above what is ſo received by them of his Majeſty's ſaid lieutenant, the ſaid deputy lieutenant, colonel, or other chief officer, as aforeſaid, ſuch overplus ſhall be borne by each county, riding, or place, where ſuch additional expence ſhall be incurred, and be repaid to them without fee or reward by the treaſurer of each reſpective county, riding, or place, out of the publick ſtock.

be given him and the conſtables are to order carriages to be furniſhed accordingly; the ſame to be for one day's journey only; and any additional expences incurred thereby, are to be repaid out of the county ſtock.

CXXIV. And be it enacted, That if any ſuch chief conſtable, conſtable, tythingman, headborough, or other officer, ſhall wilfully neglect or refuſe to execute any ſuch warrant of any juſtice of the peace; or if any perſon appointed by ſuch chief conſtable, conſtable, tythingman, headborough, or other officer, to provide or furniſh any ſuch carriage and man, ſhall wilfully neglect or refuſe to provide the ſame; every ſuch offender ſhall forfeit a ſum not exceeding forty ſhillings, nor leſs than twenty ſhillings, to the uſe of the poor of the pariſh, tything, or place, where ſuch offence ſhall be committed: and every ſuch offence ſhall and may be heard and determined by two juſtices of the peace within the county, riding, or place, where ſuch offence ſhall be committed; which juſtices ſhall, by warrant under their hands and ſeals, cauſe the ſaid penalty to be levied by diſtreſs and ſale of the offender's goods and chattels, rendering the overplus (if any) on demand, after deducting the charges of ſuch diſtreſs and ſale to ſuch offender, upon whom ſuch diſtreſs ſhall have been made as aforeſaid.

Conſtables, &c. neglecting their duty in furniſhing ſuch carriages, forfeit not leſs than 20 s. nor more than 40 s. to the uſe of the poor; to be levied by diſtreſs and ſale.

CXXV. Provided always, and be it enacted, That neither the militia of this kingdom, nor any corps, detachment, or draught thereof, ſhall, on any account, be tranſported or carried out of the iſland of *Great Britain*.

No part of the militia may be tranſported out of *Great Britain*.

CXXVI. And be it enacted, That all the powers given, and proviſions made by this act, with reſpect to the county of *Northumberland*, and the militia thereof, ſhall in like manner take place, and be in force, with reſpect to the town of *Berwick upon Tweed*, except only as to the particulars herein expreſſed, and otherwiſe provided for; and that out of the perſons returned in the liſts for the ſaid town, a number of private militia men ſhall be provided or choſen by lot to ſerve for the ſaid town, in the ſame proportion with the private militia men appointed to ſerve for the other reſpective hundreds, wards, and other diviſions, within the ſaid county of *Northumberland*; and if perſons can be found within the ſaid town and liberties thereof, with ſuch qualifications as are required for deputy lieutenants, and officers, within cities and towns which are counties

Proviſions, &c. in the act reſpecting *Com. Northumberland*, are to take place with reſpect to *Berwick upon Tweed*, except wherein it is otherwiſe provided for; and the number of men to ſerve for the ſaid town,

is to be in proportion to the number appointed for the other hundreds, &c. within the county; and the chief magiſtrate is to appoint 5 deputy lieuts. if ſo many ſhall be found qualified, and officers proportionable to the quota of men; who are to carry the and the men deemed part

of themſelves, the chief magiſtrate of the ſaid town of *Berwick upon Tweed* ſhall appoint five deputy lieutenants, and ſuch number of officers of the militia as ſhall be proportionable to the number of militia men which the ſaid town ſhall raiſe, as their quota, towards the militia of the county of *Northumberland*; and the ſaid lieutenants and officers are hereby required to put the powers conferred by this act, for raiſing and training the militia, into execution, within the ſaid town and liberties, ſubject to ſuch penalties as are inflicted upon deputy lieutenants and officers of the militia for acting, not being duly qualified according to the directions of this act; and that the ſaid militia ſhall join the militia of the county of *Northumberland*, and be exerciſed together, and ſhall then, and alſo in time of actual ſervice, be deemed part of the militia of the county of *Northumberland*, for the purpoſe aforeſaid.

act into execution; ſubject however to the penalties of non-qualification; are to join, and be exerciſed with the militia of the county, and be thereof.

When the number of men is ſettled that the *Iſle of Wight* is to furniſh, the governor of the iſland is to appoint the officers;

CXXVII. And whereas the ordering the militia in the *Iſle of Wight*, has always been in the governor or lieutenant governor of the ſaid iſland: and whereas, from the length of time ſince the militia thereof was raiſed, the raiſing the ſame in manner heretofore accuſtomed may be attended with many difficulties; be it enacted, That after the number of perſons which the ſaid iſland is to furniſh to the militia of the county of *Southampton* ſhall have been appointed, as by this act is directed, by his Majeſty's lieutenant and the deputy lieutenants, or by the deputy lieutenants of the ſaid county at large, the governor of the ſaid iſland ſhall appoint the officers of the militia to be raiſed in the ſaid iſland, and ſhall and is hereby impowered and required to act in the execution of this act, in the ſame manner as his Majeſty's lieutenants of counties are hereby impowered and required to act, and ſhall appoint five or more deputies to act with him, in and for the ſaid iſland; which deputies and officers of the militia ſhall be qualified in the ſame manner, and are hereby impowered and required to act in the execution of this act in the ſame manner, and under the ſame directions, proviſions, and penalties, as deputy lieutenants and officers of the militia, in the ſeveral counties within the dominion of *Wales*, are by this act ſubject to; and the militia of the ſaid iſland ſhall be raiſed in the ſame manner as the militia of the county of *Southampton*, and ſhall be deemed a part of the militia of the ſaid county: and after the ſame ſhall be ſo raiſed, the ſaid governor, lieutenant governor, and deputies, ſhall order and direct the training and exerciſing the ſaid militia within the ſaid iſland, in the ſame manner as his Majeſty's lieutenants and the deputy lieutenants are by this act authorized and directed to do in any county within that part of *Great Britain* called *England*; and the militia ſo raiſed within the ſaid iſland, ſhall be continued and remain within the ſaid iſland as an internal defence thereof.

and he is to act as lords lieuts. of counties are impowered and required; and is to appoint 5 or more deputies; who are ſeverally to be qualified, and act, as is preſcribed with reſpect to deputy lieutenants and officers for *Wales*; and the militia is to be raiſed as in the *Com. Southampton*, and deemed a part thereof; and there to be trained and exerciſed in the ſame manner,

and continue there as an internal defence.

CXXVIII. And

CXXVIII. And be it enacted, That all fines, penalties, and forfeitures by this act impoſed, the manner of recovery whereof is not in this act particularly provided for, ſhall, on proof upon oath of the offence before any juſtice of the peace of the county, riding, or place, where the offence ſhall be committed, be levied by diſtreſs and ſale of the offender's goods and chattels, by warrant under the hand and ſeal of ſuch juſtice, rendering the overplus (if any) on demand, after deducting the charges of ſuch diſtreſs and ſale, to the offender upon whom ſuch diſtreſs ſhall have been made; and where the goods and chattels of ſuch offender ſhall not be ſufficient to anſwer ſuch diſtreſs, ſuch juſtice is hereby required to commit ſuch offender to the common gaol of the county, riding, or place, where the offence ſhall have been committed, for any time not exceeding three months: and all fines, penalties, and forfeitures, by this act impoſed, the application whereof is not otherwiſe particularly provided for, ſhall be paid to the clerk of the regiment or battalion, and ſhall be made a common ſtock; and the ſaid clerk ſhall give a particular account thereof, as it ſhall ariſe, to the colonel or commanding officer of the regiment or battalion, who ſhall cauſe butts to be erected in ſome convenient place or places, and ſhall direct the clerk of the regiment or battalion to buy and provide, with ſome part of the money ſo ariſing, a proper quantity of gunpowder and ball, to be uſed at proper times by the militia men in ſhooting at marks, and to apply and diſpoſe of ſuch other part of the money aforeſaid, as he ſhall think reaſonable, in ſome prize or prizes to be given to ſuch militia man or men as ſhall, by the commanding officer then preſent, be adjudged to be the beſt markſman or markſmen, and to apply the reſidue thereof to other contingencies relating to the regiment or battalion.

All fines, penalties, and forfeitures where not otherwiſe directed, are to be recovered, on proof upon oath of the offence before a juſtice for the county, &c. by diſtreſs and ſale; and where ſufficient diſtreſs cannot be had, the offender is to be committed for 3 months; and where not otherwiſe directed, they are to be paid to the regimental clerk, and made a common ſtock, and be accounted for by him to the colonel or commanding officer of the regiment; and are to be applied in erecting butts, providing powder and ball, and in prizes to the beſt markſmen, and to other contingencies of the regiment.

CXXIX. And be it enacted, That in all caſes when any perſon ſhall be committed to the houſe of correction by virtue of this act, he ſhall, during the time of ſuch commitment, be kept to hard labour in ſuch houſe of correction.

Where any perſon ſhall be committed to the houſe of correction, he is to be kept to hard labour there.

CXXX. And be it enacted, That in all caſes where his Majeſty's lieutenants, or the reſpective deputy lieutenants by them appointed, or his Majeſty's juſtices of the peace, are, by this act, required to examine, hear, and determine, all witneſſes ſhall be examined upon oath; which oath ſuch lieutenants, deputy lieutenants, and juſtices, or any one of them, is and are hereby impowered to adminiſter.

Lord lieuts. deputies, and juſtices, in all matters to be tried before them, impowered to examine the witneſſes upon oath;

CXXXI. And be it enacted, That no order or conviction made by any of his Majeſty's lieutenants, or by any three or more deputy lieutenants, or by any two deputy lieutenants together with any one juſtice of the peace, or by any one deputy lieutenant together with any two juſtices of the peace, or by any juſtice

And no order or conviction which ſhall be made by them

ſhall be removed, or ſuperſeded, by writ of *certiorari*.

juſtice or juſtices of the peace, by virtue of this act, ſhall be removed by *certiorari* out of the county, riding, diviſion, place, city, or town, wherein ſuch order was made, into any court, and that no writ or writs of *certiorari* ſhall ſuperſede execution, or other proceedings, upon any ſuch order ſo made in purſuance of this act; but that execution, and other proceedings, ſhall and may be had and made thereupon, any ſuch writ or writs, or allowance thereof, notwithſtanding.

Where a pariſh ſhall be in more counties or ridings than one, the men ſhall ſerve in the militia of the county, &c. wherein the pariſh church ſtands, and be ſubject to the ſame juriſdiction.

CXXXII. Provided always, and be it further enacted by the authority aforeſaid, That where any pariſh ſhall lie in more counties or ridings than one, the inhabitants of ſuch pariſh ſhall ſerve in the militia of that county or riding wherein the church belonging to ſuch pariſh is ſituated; and that ſuch pariſh ſhall be deemed as part of that county, and ſhall be ſubject to the juriſdiction and authority of the deputy lieutenants, juſtices of the peace, and other officers of that county or riding, to all the intents and purpoſes of this act.

The inhabitants of *Craike* ſhall ſerve in the militia for the north riding of *York*, and be ſubject to the ſame juriſdiction.

CXXXIII. And be it enacted, That the inhabitants of the conſtablery of *Craike*, a parcel of the county of *Durham*, ſurrounded by the north riding county of *York*, ſhall ſerve in the militia for the ſaid north riding; and the deputy lieutenants and juſtices of the peace for the ſaid north riding, ſhall and are hereby impowered to act in the ſaid conſtablery.

The inhabitants of *Maker* pariſh ſhall ſerve and be trained with the militia of *Cornwall*, and be deemed part thereof;

CXXXIV. And be it enacted, That the inhabitants of that part of the pariſh of *Maker*, that lies in the county of *Cornwall*, ſhall ſerve in, and be trained and exerciſed with, the militia of the county of *Cornwall*, and ſhall, to all intents and purpoſes, be deemed, taken, and accepted as part thereof.

and thoſe of *Wokingham*, with the militia of *Com. Berks*;

CXXXV. And be it enacted, That the inhabitants of the town and pariſh of *Wokingham* ſhall ſerve in, and be trained and exerciſed with, the militia of the county of *Berks*.

of *Filey*, to ſerve in that of the eaſt riding of *York*.

CXXXVI. And be it enacted, That the inhabitants of the townſhip of *Filey* ſhall ſerve in the militia of the eaſt riding of the county of *York*.

of *Threapwood*, in that of *Flint*; and to be exerciſed with that of *Worthenbury*;

CXXXVII. And be it enacted, That the inhabitants of *Threapwood* ſhall ſerve in the militia of the county of *Flint*, and ſhall be trained and exerciſed with the militia of the pariſh of *Worthenbury*, within the ſaid county.

and of *Saint Martin*, called *Stamford Baron*, in that of *Lincoln*.

CXXXVIII. And be it enacted, That the inhabitants of and in the pariſh of *Saint Martin*, called *Stamford Baron*, in the ſuburbs of the borough and town of *Stamford* on the ſouth ſide of the waters there, called *Welland*, ſhall ſerve in the militia of the county of *Lincoln*.

The tinners in *Devon* and *Cornwall* are to be under the lord warden of the ſtannaries.

CXXXIX. And be it enacted, That nothing in this act contained ſhall extend to the tinners in the counties of *Devon* and *Cornwall*; but the lord warden of the ſtannaries for the time being, in purſuance of his Majeſty's commiſſion in that behalf, and ſuch as he ſhall commiſſionate and authorize under him, may

may and ſhall have and uſe the like powers, and array, aſſeſs, arm, muſter, and exerciſe, the ſaid tinners within the ſaid counties, and either of them, as hath been heretofore uſed, and according to the ancient privileges and cuſtoms of the ſaid ſtannaries.

Lieutenants for *London* are to liſt and levy the train bands, as heretofore.

CXL. And be it enacted, That his Majeſty's lieutenants who are or ſhall be commiſſioned for the militia of the city of *London*, may and ſhall continue to liſt and levy the train bands and auxiliaries of the ſaid city, in manner as heretofore.

The conſtable of the Tower is to appoint dep. lieuts. and officers, to train and diſcipline the militia of the *Tower Hamlets*, purſuant to act 13 & 14 *Car.* II. which are to be formed into 2 regiments of 8 companies each; and he is to raiſe trophy money annually, to defray the incident charges thereof,

CXLI. And whereas the militia of the *Tower Diviſion* in the county of *Middleſex*, commonly known by the name of *The Tower Hamlets*, is, and always has been, under the command of his Majeſty's conſtable of the *Tower*, or lieutenant of the *Tower Hamlets*, for the ſervice and preſervation of that royal fort; be it therefore enacted, That it ſhall be lawful for his Majeſty's ſaid conſtable, or lieutenant, for the time being, from time to time to appoint his deputy lieutenants, and to give commiſſions to a proper number of officers to train and diſcipline the militia to be raiſed within and for the ſaid diviſion or hamlets, purſuant to an act of the thirteenth and fourteenth years of the reign of King *Charles* the Second, intituled, *An act for ordering the forces of the ſeveral counties of this kingdom*, and to form the ſame into two regiments of eight companies each, in ſuch manner as the ſaid conſtable, or lieutenant, hath uſed to do; and alſo for defraying the neceſſary charges of trophies, and other incident expences of the militia of the ſame diviſion or hamlets, it ſhall be lawful for his Majeſty's ſaid conſtable, or lieutenant, to continue to raiſe, in every year, the proportion of a fourth part of one month's aſſeſſment of trophy money within the ſaid diviſion or hamlets, in ſuch manner as he hath uſed to do by virtue and in purſuance of the ſaid act of the thirteenth and fourteenth years of the reign of King *Charles* the Second.

and appoint treaſurer,

CXLII. And be it further enacted, That his Majeſty's ſaid conſtable of the *Tower*, or lieutenant of the *Tower Hamlets*, ſhall appoint a treaſurer of the ſaid trophy money, for receiving and paying ſuch monies as ſhall be levied by virtue of the ſaid act of the thirteenth and fourteenth years of the reign of King *Charles* the Second; which ſaid treaſurer ſhall yearly account in writing and upon oath, for the ſame, to the ſaid lieutenant, or his deputy lieutenants, or any three or more of them; which oath they ſhall have power to adminiſter; and which accounts for the ſame ſhall be certified to the juſtices of the peace for the ſaid diviſion at their next general or quarter ſeſſions; and that the ſaid conſtable, or lieutenant, ſhall not iſſue out warrants for raiſing any trophy money, until the juſtices of the peace, or the major part of them, at ſuch ſeſſions, ſhall have examined, ſtated, and allowed, the accounts of the trophy money raiſed, levied, and collected, for the preceding year, and certified the ſame under the hands and ſeals of four or more of ſuch juſtices, unleſs in caſe where it ſhall appear to ſuch juſtices, that, by rea-

who is to render upon oath an account yearly, which is to be certified to the quarter ſeſſions; and no money may be raiſed till the accounts of the preceding years are paſſed by the juſtices;

unleſs by the death of the treaſurer, ſuch accounts cannot be paſſed.

ſon of the death of ſuch treaſurer, or otherwiſe, ſuch accounts cannot be paſſed.

The ld. warden of the cinque ports, and his lieuts. are to execute therein the powers granted them by former acts, in like manner as the lds. lieuts. and deputies of counties may do; and may continue the uſual number of ſoldiers therein; and the militia thereof is to remain ſeparate from that of the counties wherein they are ſituate; and they may raiſe and draw out, in purſuance of orders from the King, conformable to the act of 13 & 14 *Car.* II. the militia thereof, notwithſtanding the pay advanced be not reimburſed; and provide the ſoldiers with a month's pay in hand; and may exerciſing, &c.

CXLIII. And be it enacted, That the lord warden of the cinque ports, two ancient towns and their members, and in his abſence, his lieutenant or lieutenants, may and ſhall put in execution within the ſaid ports, towns, and members, all the powers and authorities given and granted by any former act or acts, and may and ſhall execute and perform all and every the things therein contained, in like manner as his Majeſty's reſpective lieutenants of counties, and their deputy lieutenants, may do; and may keep up and continue the uſual number of ſoldiers in the ſaid ports, towns, and members, unleſs he or they find cauſe to leſſen the ſame; and the militia of the ſaid ports, towns, and members, ſhall remain ſeparate from the militia of the ſeveral counties within which the ſaid ports, towns, and members, are ſituate; any thing herein contained to the contrary notwithſtanding: and that it ſhall and may be lawful for the lord warden, or his lieutenant or lieutenants, in purſuance of orders from his Majeſty, his heirs, and ſucceſſors, and in the manner preſcribed by an act made in thirteenth and fourteenth years of the reign of King *Charles* the Second, intituled, *An act for ordering the forces in the ſeveral counties of this kingdom*, notwithſtanding one or more months pay advanced be not reimburſed, to raiſe and draw out the ſoldiers into actual ſervice, and to cauſe the perſons charged as by the ſaid act, to provide their ſoldiers with pay in hand, not exceeding one month's pay, in ſuch manner, as if all the pay advanced and provided had been reimburſed; and to uſe the like powers, and to array, aſſeſs, and arm, muſter, and exerciſe the ſaid ſoldiers, and to make aſſeſſments, and iſſue warrants for the aſſeſſments made or to be made for raiſing any trophy money, and for defraying the neceſſary charges of trophies, and other incident expences of the militia of the ſaid ports, towns, and members, as hath been heretofore uſed, and according to their ancient privileges and cuſtoms; any thing in the ſaid act to the contrary notwithſtanding.

All former militia acts are repealed, except in caſes ſubjected to proviſions in the ſaid acts;

CXLIV. And be it enacted, That all former acts relating to the raiſing of the militia within that part of *Great Britain* called *England*, and the dominions of *Wales*, ſhall, from and after the paſſing this act, be, and are hereby repealed, except in ſuch caſes as are herein ſpecially directed to be ſubject to the proviſions of the ſaid former acts, or any of them; and the militia raiſed by virtue of the ſaid former acts, ſhall be ſubject to all the ſame proviſions and regulations as the militia directed to be raiſed by virtue of this act are ſubjected to.

and nothing in this act is to vacate any

CXLV. And be it enacted, That nothing in this act contained ſhall in any wiſe extend to annul or make void any thing already

already done in purſuance of the former acts relating to the militia forces, or any of them, or to prevent the compleating any proceedings already commenced in purſuance of the ſaid acts.

thing done in purſuance of the former acts; or prevent any proceedings commenced in purſuance thereof.

CXLVI. And whereas in the ſeveral counties, ridings, or places, where the militia has been already raiſed, ſeveral precepts have iſſued for the returning liſts of the names of ſeveral perſons liable to ſerve in the militia, many of which liſts have been returned, and ſeveral proceedings had thereon, in purſuance of the laws for the better ordering of the militia forces of that part of *Great Britain* called *England*: and whereas it is neceſſary that ſome proviſion ſhould be made to impower the deputy lieutenants and juſtices of the peace in their reſpective ſubdiviſions, and the juſtices of the peace in the ſaid ſeveral counties, ridings, and diviſions, in that part of *Great Britain* called *England*, to proceed on ſuch liſts, and other matters relative thereto; be it therefore enacted, That the ſaid deputy lieutenants and juſtices of the peace may and ſhall continue to act and put in force the ſeveral acts of parliament made in the thirtieth, thirty firſt, thirty ſecond, and thirty third, years of the reign of his late Majeſty, and in the firſt year of the reign of his preſent Majeſty, relating to the better ordering of the militia forces, and the pay thereof, in that part of *Great Britain* called *England*, in all matters and things ſubſequent to the precepts ſo iſſued, and the liſts returned or to be returned thereon; and that the juſtices of the peace of the ſaid ſeveral counties, ridings, and places, may and ſhall cauſe to be levied the fines, penalties, and forfeitures, already incurred, or which may be incurred, in purſuance of the ſaid militia laws, as are in and by the ſaid laws directed; any thing in this act to the contrary notwithſtanding.

Where, in purſuance of the former acts, the militia has been raiſed, and precepts iſſued for returning liſts, and proceedings had thereon, the dep. lieuts. and juſtices are to proceed, as thoſe acts direct, in execution of all matters and things ſubſequent to ſuch precepts, and the liſts returned or to be returned thereon; and levy the fines and penalties incurred, on that account, as thoſe laws direct.

CXLVII. Provided always, and be it enacted, That if any ſuit or ſuits, action or actions, ſhall be brought or commenced againſt any perſon or perſons for any thing done in purſuance of this act, the action or actions, ſuit or ſuits, ſhall be commenced within ſix calendar months after the fact committed, and not afterwards; and ſhall be laid in the county where ſuch action or actions, ſuit or ſuits, did ariſe, and not elſewhere; and the defendant or defendants in ſuch ſuit or ſuits, action or actions, to be brought, may plead the general iſſue, and give this act, and the ſpecial matter, in evidence: and if the jury ſhall find for the defendant or defendants in ſuch ſuit or ſuits, action or actions; or if the plaintiff or plaintiffs ſhall be nonſuited, or diſcontinue his or their ſuit or ſuits, action or actions, after the defendant or defendants ſhall have appeared; or if, upon demurrer, judgment ſhall be given againſt the plaintiff or plaintiffs; the defendant or defendants ſhall have treble coſts, and have the like remedy for the ſame as any defendant or defendants hath or have in other caſes to recover coſts by law.

Limitation of actions.

General iſſue.

Treble coſts.

CXLVIII. Pro-

This act to be in force for 7 years.

CXLVIII. Provided always, and be it enacted by the authority aforeſaid, That this act ſhall continue and be in force for the ſpace of ſeven years, and from thence to the end of the then next ſeſſion of parliament, and no longer.

CAP. XXI.

An act for paving, cleanſing, and lighting, the ſquares, ſtreets, and lanes, within the city and liberty of Weſtminſter, *the pariſhes of* Saint Giles in the Fields, Saint George the Martyr, Saint George Bloomsbury, *that part of the pariſh of* Saint Andrew's Holborn *which lies in the county of* Middleſex, *the ſeveral liberties of the* Rolls *and* Savoy, *and that part of the dutchy of* Lancaſter *which lies in the county of* Middleſex, *and for preventing annoyances therein; and for other purpoſes therein mentioned.*

Preamble. WHEREAS *the ſeveral ſquares, ſtreets, and lanes, within the city and liberty of* Weſtminſter, *the pariſhes of* Saint Giles in the Fields, Saint George the Martyr, Saint George Bloomſbury, *that part of the pariſh of* Saint Andrew Holborn *which lies in the county of* Middleſex, *the ſeveral liberties of the* Rolls *and* Savoy, *and that part of the dutchy of* Lancaſter *which lies in the county of* Middleſex, *are in general, very ill paved and cleanſed and not duly lighted: and whereas the preſent methods preſcribed by law for paving, cleanſing, and lighting the ſaid ſquares, ſtreets, and lanes, are ineffectual: and whereas it would tend greatly to the benefit and ſafety of the inhabitants of the ſaid ſquares, ſtreets, and lanes, and of all perſons paſſing through the ſame, if the pavements thereof were properly laid and regulated, and the ſaid ſquares, ſtreets, and lanes, kept clean, free from obſtructions, and annoyances, and duly lighted: may it therefore pleaſe your Majeſty, that it may be enacted; and be it enacted,* &c. &c.

Commiſſioners appointed for carrying this act into execution —— 15, or more, at their firſt meeting, to elect by ballot 20 other perſons to be aſſociated to them in the truſt. —— 11, or more, giving 14 days notice, may fill up vacancies occaſioned by the death, or refuſal to act, of any of the commiſſioners, except of ſuch as are *ex officio*. —— Commiſſioners holding any office, or intereſted in any contract under the truſt, are diſqualified from acting as ſuch. —— 3, or more, are to hold their firſt meeting at *Weſtminſter Bridge* office, on the Thurſday ſevennight after paſſing the act; and they are then to adjourn, and meet afterwards; as they ſhall think proper. On failure of a ſufficient number of commiſſioners at any meeting to act and adjourn, the clerk is to appoint another meeting, giving 10 days notice; or, on his death, neglect or refuſal, 2 commiſſioners may appoint one: they are to bear their own expences at all their meetings.—Qualification of commiſſioners, 300 *l. per annum*, or 10,000 *l.* &c.—Penalty 100 *l.* on their acting, if not qualified, and they are to prove their qualification, if proſecuted, or pay the penalty. —— 11, or more, at their ſecond or any ſubſequent meeting may appoint one, or more clerks, treaſurers, and receivers; and alſo ſurveyors; and ſuch other officers as they, or any 7 or more of them, ſhall think neceſſary; taking proper ſecurity; and they may remove them, and appoint others. Rates to be paid to the receivers. Officers, and others, to render an account upon oath, at the times and in the manner, 7 or more commiſſioners ſhall direct; and pay over

over the money in their hands to the order of 5 or more commiſſioners.—2 commiſſioners may adminiſter the oath; and any perſon refuſing to render ſuch an account, or to verify the ſame, or to produce and deliver up the vouchers, and pay over the ballance, &c. may be ſued, by action brought in the names of 2 or more commiſſioners, or complaint may be brought againſt him before 2 or more juſtices, who are impowered to hear and determine the matter in a ſummary way; and to levy by diſtreſs and ſale the money, that ſhall appear to be in ſuch perſons hands; and for want of ſufficient diſtreſs, to commit ſuch offender, until he render an account and payment, or ſhall compound with 5 or more commiſſioners, and have paid the compoſition, or delivered up the writings, &c. 11 or more, commiſſioners may appoint officers ſalaries, and make allowance to ſuch others as have aided or aſſiſted the execution of this act. —— Officers taking any fee or reward, other than their ſalaries, for doing their duty, or being concerned in intereſt in any bargain made by the commiſſioners for the purpoſes of this act, are diſqualified from ever ſerving, or being employed under this act, and forfeit alſo 100 *l.* —— Treaſurer to pay over, from time to time, the monies he receives, as ſoon as the ſame amount to 300 *l.* into the bank, in the name of the commiſſioners; which is to be diſpoſed of by an order of 5, or more, of them. —— 3, or more, commiſſioners are impowered from time to time, to order any of the publick ſquares, ſtreets and lanes, within the ſaid city, being thoroughfares for wheel-carriages, &c. to be paved, altered, cleanſed, and lighted, &c.—— and alſo ſuch gravel, ſtones, and other materials, to be dug out of, or brought into the ſame, and ſuch artificers and workmen to be employed, and money iſſued; and all other acts conducive to the deſigns of this act, to be done, as they ſhall think fit.—— Clauſe in the act 5 *Eliz.* repealed, with reſpect to perſons employed in conſequence of this act, in paving, &c. Five, or more, commiſſioners may contract for the paving, cleanſing, and lighting the ſquares and ſtreets, &c. giving 14 days previous notice for perſons to deliver in propoſals. —— Contracters for cleaning the ſtreets may, by leave and order of two or more juſtices, and making ſatisfaction, lodge their dirt, for the accommodation of country carts, in ſuch places as ſhall not appear to be intended to be built upon.—— 3, or more, commiſſioners may order all works done in purſuance of this act, to be inſpected by their ſurveyor; and where any ſhall be found not well and duly performed, may ſue the contractors for the penalties; to be applied for the purpoſes of this act. —— Agreement between landlord and tenant touching the paving, lighting, and cleanſing the ſtreets, not vacated by this act; but the rates made by the commiſſioners are to be paid in lieu thereof; and all diſputes concerning ſuch agreements are to be ſettled by 5 or more commiſſioners. —— Commiſſioners, or perſons authorized by them, may inſpect and take copies of the books kept for cleanſing, paving, or lighting the ſtreets and places in *London*, *Weſtminſter*, or *Middleſex*. —— Property of all materials for the purpoſes of this act veſted in the commiſſioners: 3 may bring actions, or prefer indictments againſt any perſons who ſhall ſteal any part thereof; and perſons wilfully damaging the ſame, forfeit for the 1ſt offence, not exceeding 40 s. nor leſs than 10 s. and for the 2d and every other offence, not exceeding 3 l. nor leſs than 20 s. to be levied by diſtreſs and ſale; and for want of diſtreſs, the offender to be committed to the houſe of correction, not exceeding two months, nor leſs than 10 days. —— 5 or more commiſſioners may ſell the old materials, and apply the money to the purpoſes of this act. —— Pavements taken up by the workmen of any of the water companies, are to be repaired by the commiſſioners paviour, at the expence of ſuch company; but where any of the pipes or plugs ſhall be raiſed, ſunk, or altered for the purpoſes of this act, the expences ſhall be defrayed out of the rates. —— 5 or more of the commiſſioners may contract with the ſaid companies for relaying ſuch pavements. —— Pavements taken up by the commiſſioners of ſewers are to be relaid, at their expence, by the commiſſioners paviour. —— 5 or more commiſſioners may contract with the commiſsioners of ſewers for relaying ſuch pavements. —— No alteration to be made in the form of the ſtreets, &c. without the conſent of 5 or more commiſsioners, on penalty of 5 l.

over

over and above all expences of re-inſtating the ſame.——5,000l. to be iſſued and applied out of the aids granted to his Majeſty for the ſervice of the year 1762, to be paid to 5 or more commiſsioners, or to their order, and applied in new paving the ſaid ſquares, ſtreets, and lanes.——Receiver to account quarterly to the commiſsioners, copies of the ſaid accounts, and of the proceedings of the commiſsioners, to be delivered in every ſeſsions to parliament, within 30 days after the opening.——Penalty of laying aſhes or other annoyances in the ſtreets, before the ſcavanger comes to carry away the ſame, is for the 1ſt offence 5s. for the 2d 10s. and for the 3d and every other offence 20s.——Obſtruction, nuiſance, or incroachment occaſioned by ſetting out any carriages, timber, or other material, matter, or thing in the ſtreets, &c. or by carts, &c. ſuffered to remain longer therein than is neceſſary for the loading or unloading thereof, may be removed, by order of 3 commiſsioners upon complaint thereof, at the charges of the offender, he paying moreover a ſum not exceeding 40s.——No incloſure for building or repairing houſes, to be made in any of the ſtreets, &c. which ſhall be compleated by virtue of this act, without the conſent of 3 or more commiſsioners, on penalty of forfeiting, not exceeding 20s. for every 12 hours ſuch nuiſance ſhall remain.——A rate, not exceeding 1s. 6d. in the pound to be made on all houſes, &c. by 5 or more commiſsioners, half yearly or oftener, for defraying the expences of paving, repairing, cleanſing, and lighting the ſtreets, to be aſcertained by the poor-rate of the reſpective pariſhes, and to be paid quarterly.——Receivers authorized by an order of 3 or more commiſsioners, may inſpect the pariſh books concerning their poor's-rate; and take copies thereof.——Where houſes are lett out in lodgings to divers tenants, the owners are to be aſſeſſed; but the rate may be levied on the occupiers, which is to be allowed them in their rent.——Where houſes, &c. ſhall be empty, untenanted or unoccupied, the owners are to be charged with one half of the ſaid rates, and the premiſſes are to remain a ſecurity for the arrears.——Where houſes, &c. are occupied by foreign miniſters, or others not liable by law to pay the rates, the owners are to pay the ſame; and the premiſſes to remain a ſecurity for the arrears; and an action may be brought againſt the owner.——Tenants and occupiers are to pay the rates, and deduct the proportion paid on account of the owner or proprietor out of their rent.——All publick buildings, dead walls, and void ſpaces of ground to be rated by the ſquare yard.——The rates for pariſh churches, chapels, and church-yards, to be paid by the church or chapel wardens; and for other places, by the reſpective proprietors.——Where the rates ſhall not be paid within 10 days after demand, the receiver by warrant of two juſtices, with the aſsiſtance of a conſtable, may levy the ſame, with all charges, by diſtreſs and ſale.——All the monies raiſed and appropriated by this act are veſted in the commiſsioners, to be applied for the purpoſes of the act only.——Penalties and forfeitures in general to be levied by diſtreſs and ſale, by warrant of a juſtice, and to be paid to the commiſsioners treaſurer.——Ballance of money received, and not paid over at the time of the receiver's death, is to be paid by the executors of the deceaſed's eſtate; and the receipt of 3 or more commiſsioners is a ſufficient diſcharge for the ſame; but on nonpayment within 21 days after demanded, the treaſurer may ſue the executors.——Where perſons ſhall quit their houſes, &c. before they have paid the rates, the receiver by warrant of 2 juſtices for *Middleſex*, or city and liberty of *Weſtminſter*, (the ſame being firſt backed by ſome magiſtrate for the place, where the diſtreſs is to be made) may levy the rates, and all charges by diſtreſs and ſale.——No rate to be made upon any place, till the pavement is compleated; and all contracts before made (except between landlord and tenant) for paving, cleanſing, or lighting the ſtreets are then to ceaſe. Perſons paying to theſe rates are exempted from all other charges and penalties on account thereof.——As ſoon as any rate ſhall be made by virtue of this act, the owners or occupiers of houſes, &c. aſſeſſed thereto, are diſcharged from payment of like rates made in purſuance of former acts.——Inhabitants of St. *James's Square*, being included in an act of 12 *Geo.* II. *Lincoln's Inn Fields*, in an act of 8 *Geo.* II. and *Golden Square*, in an act of 24 *Geo.* II. are exempted out of this

this act. —— This act not to extend to ſuch parts of ſtreets, &c. as are already directed to be paved, lighted, or cleanſed, by any road act; nor to *Deans Yard*, and places adjoining to the ſouth and weſt doors of *Weſtminſter Abbey*. —— Seven or more commiſsioners may make a new paſſage, or widen the old one, from *Drury Lane* into *Great Queen Street*, at the *Devil's Gap*; and purchaſe houſes and ground for that purpoſe, &c. not exceeding 6 in number; and if they make a new one, may incloſe and ſell the old paſſage for building upon; and may pave, repair, and cleanſe the ſame, in like manner as the ſquares and ſtreets, &c. before mentioned. —— No part of the rate, or money granted by parliament, to be applied in the purchaſe of the ſaid houſes or ground. —— Perſons aggrieved, where no other method of relief is appointed, may appeal to the quarter ſeſsions within three months; giving 12 days notice of ſuch appeal to the clerk or treaſurer, and entering into recognizance, with ſecurity, to try the ſame, &c. juſtices to determine ſuch appeal in a ſummary way, and award coſts. —— Diſtreſs not to be deemed unlawful, nor the party making it a treſpaſſer, for want of form in the proceedings; nor the party diſtraining a treſpaſſer *ab initio*, on account of any ſubſequent irregularity. —— Party to recover full ſatisfaction only for the damage, in an action on the caſe: but where ſufficient tender ſhall have been made, before the action brought, the plaintiff is not to recover. Defendant, with leave, may pay money into court, &c. —— Contracts and other writings not chargeable with any duty. —— Orders and proceedings of the commiſsioners to be entered in books, and ſigned by the clerk; which may be produced and read in evidence. —— No act of the commiſsioners valid, unleſs done at a publick meeting. —— Proceedings againſt offenders not liable to be quaſhed for want of form; or removeable by *certiorari*. Limitation of actions. General iſſue. Treble coſts.

CAP. XXII.

An act for the keeping regular, uniform, and annual regiſters, of all pariſh poor infants under a certain age, within the bills of mortality.

Preamble.

WHEREAS *the keeping regular, uniform, and annual regiſters, of all pariſh poor infants under four years of age, within the bills of mortality, may be a means of preſerving the lives of ſuch infants; may it therefore pleaſe your Majeſty, that it may be enacted*; and be it enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That the churchwardens and overſeers of the poor of every pariſh within the bills of mortality, or ſome one or more of them, ſhall, on or before the firſt day of *July*, in the preſent year one thouſand ſeven hundred and ſixty two, provide, or cauſe to be provided, at the expence of their reſpective pariſh, one book of *royal* paper; and the book belonging to ſuch reſpective pariſh wherein there is or ſhall be any workhouſe, hoſpital, or other houſe or place provided for the maintenance of the poor, ſhall, in every page, be ruled with diſtinct columns, and the title of each column ſhall be wrote or printed in ſuch page, agreeable to the ſchedule hereunto annexed, marked (A); and the book belonging to each reſpective pariſh wherein there is not, nor ſhall be, any ſuch work-houſe, hoſpital-houſe, or place, ſhall in every page, be ruled with diſtinct columns, and the title of each column ſhall be wrote or printed in ſuch page, agreeable to the ſchedule hereunto annexed, marked (B).

A regiſter book is to be provided in every pariſh, by 1 *July*, 1762;

That for any pariſh wherein there is a workhouſe, &c. is to be ruled and diſtinguiſhed into columns according to the annexed ſchedule marked (A); and that where there is no ſuch workhouſe, &c. according to the ſchedule marked (B).

II. And

All infants under 4 years of age, which ſhall be in any ſuch work-houſe, &c. or under the care of the churchwardens or overſeers of the poor, on the ſaid 1 *July*, ſhall be enter'd therein agreeable to the ſaid ſchedules;

II. And be it further enacted by the authority aforeſaid, That the ſaid churchwardens and overſeers of the poor, or ſome one or more of them, ſhall enter, or cauſe to be entered, in the book belonging to their reſpective pariſh, and provided in purſuance of this act, all the infants under the age of four years, which on the ſaid firſt day of *July*, ſhall be in the workhouſe or work-houſes, hoſpital or hoſpitals, or other houſe or houſes, place or places, provided for the maintenance of the poor of each pariſh reſpectively, or under the care of the ſaid churchwardens or overſeers of the poor, with the times when they were received, their names, age, and whatever deſcription relates to them as far as can be traced, being agreeable to the ſchedules annexed.

as ſhall alſo all infants under the ſaid age, which ſhall be brought to the workhouſe, or be under the care of the churchwardens, after the ſaid day.

III. And be it enacted by the authority aforeſaid, That from and after the ſaid firſt day of *July*, all infants under the age of four years, who ſhall be brought to any work-houſe, or hoſpital-houſe, or place provided for the maintenance of the poor, or be under the care of the ſaid churchwardens or overſeers of the poor in their reſpective pariſhes, or any of them, ſhall be, by the ſaid churchwardens or overſeers of the poor, or ſome one or more of them, or by the direction or command of ſome one or more of them, entered regularly in the book aforeſaid, with the times of their admittance, and all circumſtances relating to them, agreeable to the titles and heads of the columns in the ſaid ſchedules mentioned and ſet forth.

The firſt annual regiſter is to commence on the ſaid 1 *July*, and end on 31 *Dec.* enſuing; and afterwards to commence on 1 *Jan.* and end on 31 *Dec.* following.

IV. And be it further enacted by the authority aforeſaid, That the firſt annual regiſter hereby intended and directed to be kept, ſhall commence on the ſaid firſt day of *July*, and ſhall end on the thirty firſt day of *December* enſuing; and, after that time, the ſaid annual regiſter ſhall commence the firſt day of *January*, and end the thirty firſt day of *December* following.

At the expiration of each year, all infants under the age aforeſaid then living and regiſter'd, and not diſcharged, ſhall be transferr'd to the regiſter for the enſuing year, previous to any further entry;

V. And be it further enacted by the authority aforeſaid, That after the expiration of each year, the names of all the infants under four years of age, then living and regiſtered in the ſaid annual regiſters, and not diſcharged from being under the care of the churchwardens and overſeers of the poor, ſhall be transferred to the regiſters for the year enſuing, under their proper dates of reception, and under the deſcription in which they ſtand in the preceding regiſters, previous to any further entry; ſo that each annual regiſter ſhall contain a full and diſtinct regiſter of the whole number of infants under the age above-mentioned, under the care of the pariſh at that time, as well as the children received under the ſaid age, in the current year, without being intermixed or blended with the deaths or diſcharges of any in the preceding years.

and be ſigned by the veſtry churchwardens, overſeers, veſtry clerk, and

VI. And be it further enacted by the authority aforeſaid, That the ſaid annual regiſters, and every of them, ſhall be ſigned within thirty days after the expiration of each reſpective year, by the veſtry, or any five of them, and by the churchwardens, overſeers, veſtry clerk, and maſter of the work-houſe, for the time being; and where there is no veſtry or

or veſtry clerk, by the churchwardens, overſeers, and maſter of the workhouſe; and where there is no maſter of the workhouſe, by the churchwardens and overſeers of the poor.

master of the workhouſe, where there are any ſuch.

VII. And be it further enacted by the authority aforeſaid, That in caſe any infant is received into the workhouſe, or under the care of the ſaid churchwardens or overſeers of the poor, before the ſaid infant is baptized, or known to be baptized, due care ſhall be taken to baptize the ſame within fourteen days after the reception of ſuch infant, ſo that the chriſtian and the true ſurname, if known, and if not known, a ſurname to be given by the churchwardens and overſeers of the poor, or any one of them, be regularly entered in the ſaid book; and the name and ſurname of ſuch infant ſhall alſo be regiſtered in the pariſh regiſter of ſuch pariſh: and in caſe of a difficulty of diſtinguiſhing children, ſome proper mark ſhall be affixed to the child's cloaths, or hung round his or her neck.

Infants received before baptized, or known to be ſo, ſhall be baptized within 14 days after; and be named, if not known, by the churchwardens and overſeers, and regiſter'd accordingly; and they may be diſtinguiſhed by affixing ſome mark to them.

VIII. And be it further enacted by the authority aforeſaid, That nothing herein contained ſhall extend, or be conſtrued to extend, to ſuch children whoſe parents receive money from the pariſh in aid of the maintenance and ſupport of ſuch children, they not being in the workhouſe or other pariſh houſe.

Children whoſe parents receive money from the pariſh towards their ſupport, are not included in the act.

IX. And be it further enacted by the authority aforeſaid, That a copy of the ſaid regiſter wrote up, from time to time, ſhall, every month, be laid by the veſtry clerk, or other perſon appointed for that purpoſe, before the reſpective veſtries, or other parochial meetings aſſembled in veſtry, that the ſame may be reviſed by them.

Copy of the regiſter is to be laid monthly before the veſtry;

X. And be it further enacted by the authority aforeſaid, That the ſaid copy of the regiſter being compleated at the end of the year, ſhall be depoſited in the veſtry room, or other place of parochial meetings, to remain there for the uſe of the veſtrymen, or other parochial meetings.

and at the end of every year, a copy for the year to be depoſited in the veſtry room;

XI. And be it further enacted by the authority aforeſaid, That the original regiſter book ſhall remain and be carefully preſerved and kept with the reſt of the pariſh books in the hands of the pariſh officers for the time being.

and the original is to be preſerved with the pariſh books;

XII. And be it further enacted by the authority aforeſaid, That all the reſpective pariſhes within the bills of mortality by the hand of their veſtry clerk, or, where there is no veſtry clerk, by the hands of the churchwardens, or one of them, ſhall, on or before the fifteenth day of *February* in every year, deliver fair copies of their reſpective regiſters of children under the age of four years, ſigned in manner hereby directed, into the hands of the clerk of the maſter, wardens, and court of aſſiſtants of the company of pariſh clerks, or ſuch perſon as the ſaid maſter, wardens, and court of aſſiſtants of the ſaid company ſhall appoint, he returning a receipt for the ſame ſigned by himſelf.

and ſigned copies of the ſeveral regiſters for the reſpective pariſhes are to be delivered yearly by 15 *Feb.* to the clerk of the company of pariſh clerks; for which he is to give a receipt;

XIII. And be it further enacted by the authority aforeſaid, That the ſaid clerk, or other perſon appointed by the ſaid maſter,

and is to cauſe the ſaid copies

to be bound up in alphabetical order;

maſter, wardens, and court of aſſiſtants of the ſaid company, ſhall receive the ſaid copies of regiſters, and cauſe the ſame to be bound in a book, collecting and ranging together the regiſters of the ninety ſeven pariſhes within the walls of the city of *London*, thoſe of the ſeventeen pariſhes without the walls of the city of *London*, thoſe of the twenty three pariſhes in *Middleſex* and *Surrey*, and thoſe of the ten pariſhes in the city and liberty of *Weſtminſter*, in alphabetical order; and in this order he ſhall, on or before the twenty fifth day of *March* in every year, make out, or cauſe to be made out, one general abſtract of the ſame.

and make out from thence one general abſtract, by 25 *March*, yearly;

and depoſit the ſaid abſtract bound up with the regiſters, with the maſter and wardens of the company;

XIV. And be it further enacted by the authority aforeſaid, That the ſaid regiſters of the reſpective pariſhes, together with the ſaid general abſtract, being bound in a book together, ſhall remain depoſited in the hands and cuſtody of the ſaid maſter, wardens, and court of aſſiſtants of the ſaid company of pariſh clerks.

and he is to print the ſaid abſtract, and deliver 6 copies thereof, for the uſe of each pariſh, to the reſpective veſtry clerks or churchwardens;

XV. And be it further enacted by the authority aforeſaid, That the ſaid clerk, or other perſon appointed by the ſaid maſter, wardens, and court of aſſiſtants of the ſaid company of pariſh clerks, ſhall print, or cauſe to be printed, the ſaid general abſtract, and deliver ſix copies thereof to every veſtry clerk, or to one of the churchwardens, of all the reſpective pariſhes within the bills of mortality, for the uſe of the pariſhioners and pariſh officers.

for all which he is to be paid by each ſuch veſtry clerk, or churchwarden, on delivery of the ſaid copies, 15 s. paſſing a receipt for the ſame.

XVI. And be it further enacted by the authority aforeſaid, That for and in conſideration of the expence and trouble of receiving the ſaid copies of regiſters, making an exact abſtract thereof, binding the regiſters and abſtracts in a book to remain as a depoſitary of the ſame, printing the general abſtract, diſtributing the copies thereof, with other contingent expences relating to the ſame, each pariſh, ſhall, by the hands of the veſtry clerk or churchwarden, pay into the hands of the clerk or other perſon appointed by the ſaid maſter, wardens, and court of aſſiſtants of the ſaid company of pariſh clerks, the ſum of fifteen ſhillings at the time the ſaid copies of regiſters are delivered to him, he paſſing a receipt for the ſame.

Churchwardens and others neglecting their duty in the premiſſes, forfeit to the informer 40 s. for every offence,

XVII. And be it further enacted by the authority aforeſaid, That if any churchwarden, overſeer of the poor, veſtryman, clerk of the veſtry, maſter of the workhouſe, maſter or warden of ſuch company of pariſh clerks, or any clerk of ſuch company, or any other perſon or perſons, ſhall neglect his duty as directed in and by this act, ſuch churchwarden, overſeer of the poor, clerk of the veſtry, or maſter of the workhouſe, maſter or warden of ſuch company of pariſh clerks, or ſuch clerk of ſuch company, perſon or perſons, ſhall, for every offence, forfeit and pay to the informer the ſum of forty ſhillings; to be recovered before any one of his Majeſty's juſtices of the peace, and to be levied by diſtreſs and ſale of the goods and chattels of the offender, by virtue of a warrant under the hand and ſeal of ſuch juſtice before whom the ſame ſhall be recovered, directed to any conſtable or other peace officer.

to be recovered by diſtreſs and ſale, by warrant of a juſtice.

ANNUAL

(Schedule A)

ANNUAL REGISTER of the PARISH POOR (under Four Years of Age) from the Day of to the of
of the PARISH of (where there is a Workhouſe) according to the Act of Parliament of the Second of His Majeſty King GEORGE the Third.

Name of the Child. If a Foundling, mark F If a Baſtard - - - - B If a Caſualty - - - - C If the ſame Child is taken a Second Time, mark the Second Entry of the Name - - - - 2 If a Third Time - - 3 &c.	Age real or reputed. Years Y Months M Days D	If born in the Work-houſe, when.	If not born in the Workhouſe, when admitted.	Name of the Perſon by whom ſent. If by an Officer, mark the Name O If by the Father F If by the Mother M	If Money be received with any Child, what Sum.	When died in the Workhouſe.	When diſcharged from the Workhouſe. If nurſed by the Mother, mark M	If Removed or Paſſed, to what Place.	When delivered from the Workhouſe to the Father, Mother, or o-ther Perſon. If to the Father, mark F If to the Mother, - M If to any other Perſon, mention his or her Name.	Nurſe's Name to whom delivered to be nurſed. If a wet Nurſe, mark W If a dry Nurſe - - D If the Nurſe dies, or is changed, write the Name of the new Nurſe under the former.	Place where the Nurſe lives.	Price of Nurſing each Week.	Bounty to Nurſe.	If died at Nurſe, when.	If taken from Nurſe, when. — If brought to the Workhouſe, mark - - - - - W If delivered to the Mother, mark - M If to the Father - F If to anyother Perſon, mention his or her Name.
	Y M D														

(Schedule B)

ANNUAL REGISTER of the PARISH POOR (under Four Years of Age) from the Day of to the of of the PARISH of (where there is not a Workhouſe) according to the Act of Parliament of the Second of His Majeſty King GEORGE the Third.

Name of the Child. If a Foundling, mark F If a Baſtard - - - - B If a Caſualty - - - - C If the ſame Child is taken a Second Time, mark the Second Entry of the Name - - - - 2 If a Third Time - - 3 &c.	Age real or reputed. Years Y Months M Days D			When received under the Care of the Pariſh - - - If born of a Mother under the Care of the Pariſh, mark the Date.	Name of the Perſon by whom ſent. If by an Officer of the Pariſh, mark the Name O If by the Father - - F If by the Mother - M	If Money be received with any Child, what Sum.	Name of the Perſon by whom the Child is received on the Pariſh Account.	If Removed or Paſſed, to what Place.	Nurſe's Name to whom delivered to be nurſed. If a wet Nurſe, mark W If a dry Nurſe - - D If the Nurſe dies, or is changed, write the Name of the new Nurſe under the former. If nurſed by the Mother - - - - - - - M	Place where the Nurſe lives.	Price of Nurſing per Week.	Bounty to Nurſes.	If died at Nurſe, when.	When delivered to the Father, Mother, or other Perſon. If to the Father - F If to the Mother - M If to anyother Perſon, mention his or her Name.
	Y	M	D											

CAP. XXIII.

An act to indemnify ſuch as have omitted to qualify themſelves for offices and employments, and to indemnify juſtices of the peace, deputy lieutenants, and officers of the militia, or others, who have omitted to regiſter or deliver in their qualifications within the time limited by law, and for giving further time for thoſe purpoſes; and for the making and filing of affidavits of articles of clerkſhip.

PREAMBLE, reciting the qualifying acts of 1 *Geo.* I. 13 *Car.* II. 25 *Car* II. 30 *Car.* II. 18 *Geo.* II. 30 *Geo.* II. and 31 *Geo.* II. further time to the 28 *Nov.* 1762, allowed to perſons who have omitted to qualify themſelves as the ſaid laws direct.——Perſons qualifying themſelves in manner, and within the time appointed, recapacitated and indemnified ——Offices, &c. already voided by judgment of a court, and filled up, confirmed.——None indemnified, where final judgment hath been given for the penalty incurred.——Further time to the 28 *Nov.* 1762. allowed for making and filing affidavits of clerkſhip, omitted to be made and filed in due time.

CAP. XXIV.

An act for importing ſalt from Europe *into the colony of* Nova Scotia *in* America.

WHEREAS *doubts have ariſen, whether his Majeſty's ſubjects may lawfully import ſalt directly from any foreign port in* Europe *into the colony of* Nova Scotia *in* America *for the uſe of the fiſhery there, in like manner as is allowed for the fiſheries of* New England *and* Newfoundland, *by virtue of an act of parliament made in the fifteenth year of the reign of King* Charles *the Second: and whereas very conſiderable eſtabliſhments have lately been made in the ſaid colony by fiſhermen from different parts of his Majeſty's dominions, with a view to carry on the fiſhery upon the adjacent banks; in order therefore to remove ſuch doubts as aforeſaid, and for the encouragement of ſo valuable a branch of the commerce of his Majeſty's ſubjects, which was one principal object of the ſettlement of this colony, and of the encouragement given by parliament for the ſupport of ſuch ſettlement, May it pleaſe your moſt excellent Majeſty that it may be enacted*; and be it enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That from and after the firſt day of *July*, one thouſand ſeven hundred and ſixty two, it ſhall and may be lawful to and for any of his Majeſty's ſubjects to carry and import ſalt from any part of *Europe* into the colony of *Nova Scotia* in *America*, in *Britiſh* ſhips and veſſels, manned and navigated according to the act of parliament made in the twelfth year of the reign of King *Charles* the Second, intituled, *An act for the encouraging and increaſing of ſhipping and navigation*; and in the ſame manner as ſalt may be imported from *Europe* into *New England* and *Newfoundland*, by an act made in the fifteenth year of the reign of the

Preamble.

From and after 1 *July*, 1762. ſalt may be imported by his Majeſty's ſubjects from any part of *Europe* into *Nova Scotia* in *Britiſh* veſſels, navigated according to act 12 *Car.* II. and in like manner as ſalt may be

Imported from *Europe* into *New England*, &c.

the ſaid King *Charles* the Second, intituled, *An act for the encouragement of trade*; any law, ſtatute, uſage, or cuſtom to the contrary in any wiſe notwithſtanding.

CAP. XXV.

An act for naturalizing ſuch foreign proteſtants as have ſerved, or ſhall ſerve for the time therein mentioned, as officers or ſoldiers in his Majeſty's royal American *regiment, or as engineers in* America.

Preamble, reciting acts 13 Geo. II,

WHEREAS *by an act made in the thirteenth year of the reign of his late Majeſty King* George *the Second, intituled,* "*An act for naturalizing ſuch foreign proteſtants, and others therein mentioned, as are ſettled, or ſhall ſettle, in any of his Majeſty's colonies in* America;" *all perſons born out of the legiance of his Majeſty, his heirs, and ſucceſſors, who ſhall have inhabited and reſided, or ſhall inhabit or reſide, for the ſpace of ſeven years, or more, in any of his Majeſty's colonies in* America, *or ſhall not have been abſent out of the ſaid colonies, for a longer ſpace than two months at any one time during the ſaid ſeven years, are, upon the conditions preſcribed by the ſaid act, naturalized and made partakers of all the benefits and privileges which the natural-born ſubjects of this realm do enjoy, other than ſuch as are ſpecified in a proviſo in the ſaid act contained: and whereas commiſſions have been granted to a certain number of foreign proteſtants in* America, *in purſuance of a power* and 29 Geo. II. *given by a ſubſequent act of the twenty ninth year of the reign of his late Majeſty King* George *the ſecond, intituled,* "*An act to enable his Majeſty to grant commiſſions to a certain number of foreign proteſtants, who have ſerved aboard as officers or engineers, to act and rank as officers or engineers in* America *only, under certain reſtrictions and qualifications;*" *which ſaid officers have been very uſeful to his Majeſty's ſervice, by the raiſing of a great number of men, and training them to diſcipline as ſoldiers: and whereas ſeveral of the ſaid officers, ſince the paſſing of the above recited acts, have purchaſed eſtates in* America, *by which, as well as by their faithful ſervices, they have given the ſtrongeſt aſſurances of their attachment and fidelity to his Majeſty's government: and whereas it is juſt to reward the paſt ſervices of the ſaid officers and ſoldiers, and to give encouragement for their future good conduct; and it is likewiſe expedient to add inducements to ſuch foreign proteſtants as have ſettled, or may hereafter ſettle, in* America, *to engage in his Majeſty's ſervice*; be it therefore enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons in this preſent parliament aſſembled, and by the authority of the ſame, That all ſuch foreign proteſtants, as well officers as ſoldiers, who have ſerved, or ſhall hereafter ſerve, in the royal *American* regiment, or as engineers in *America*, for the ſpace of two years, and ſhall take and ſubſcribe the oaths, and make, repeat, and ſubſcribe the declaration appointed by an act made in the firſt year of the reign of his Majeſty King *George* the Firſt, intituled, *An act for the further ſecurity of his Majeſty's*

Foreign proteſtants ſerving in the royal *American* regiment, or as engineers in *America*, for the ſpace of 2 years, and qualifying themſelves as the act 1 Geo. I. directs,

Majeſty's perſon and government, and the ſucceſſion of the crown in the heirs of the late princeſs Sophia, *being proteſtants; and for extinguiſhing the hopes of the pretended prince of* Wales, *his open and ſecret abettors*; and ſhall, at the time of ſubſcribing the ſaid oaths, and making, repeating, and ſubſcribing the ſaid declaration, produce certificates, ſigned in manner directed by the above recited act of the thirteenth of his late Majeſty, of their having received the ſacrament in ſome proteſtant and reformed congregation within the kingdom of *Great Britain*, or within ſome of the ſaid colonies in *America*, within ſix months before that time, ſhall be deemed, adjudged, and taken to be, his Majeſty's natural-born ſubjects of this kingdom, to all intents, conſtructions, and purpoſes, as if they, and every of them, had been or were born within this kingdom; and that no eſtates, of what nature or kind ſoever, purchaſed by them, or any of them, in any of his Majeſty's colonies in *America*, ſince the paſſing of the above recited act of the twenty ninth year of the reign of his ſaid late Majeſty, ſhall be liable to ſeizure into the hands of his Majeſty, his heirs, or ſucceſſors, or their titles thereto be otherwiſe impeached by reaſon of their having been aliens at the time of their making the ſaid purchaſes; the above recited acts, or any other ſtatute, law, or thing whatſoever to the contrary notwithſtanding.

and producing certificates of their having received the ſacrament in ſome proteſtant church, to be deemed natural-born ſubjects; and all purchaſes made by them ſince the paſſing act 29 Geo. II. declared to be valid.

II. Provided always, and be it enacted by the authority aforeſaid, That nothing in this act contained ſhall extend, or be conſtrued to extend, to naturalize any perſon or perſons whatſoever, who, by virtue of an act made in the fourth year of the reign of his late Majeſty King *George* the Firſt (intituled, *An act to explain a clauſe in an act made in the ſeventh year of the reign of her late Majeſty Queen* Anne, *for naturalizing foreign proteſtants, which relates to the children of natural-born ſubjects of the crown of* England, *or of* Great Britain) are declared and enacted not to be intituled to the benefit of the ſaid act of the ſeventh year of her ſaid Majeſty's reign; but that all ſuch perſons ſhall be and remain in the ſame ſtate, plight, and condition, to all intents, conſtructions, and purpoſes whatſoever, as they would have been in if this act had never been made; any thing herein contained to the contrary in any wiſe notwithſtanding.

None are to be deemed naturalized by this act, who, by act 4 Geo. I. are declared not to be intituled to the benefit of the act of 7 *Annæ*.

III. Provided alſo, and be it further enacted, That no perſon who ſhall become a natural-born ſubject of this kingdom by virtue of this act, ſhall be thereby enabled to be of the privy council, or a member of either houſe of parliament, or to be capable of taking, having, or enjoying, any office or place of truſt within the kingdoms of *Great Britain* or *Ireland*, either civil or military; or of having, accepting, or taking any grant from the crown to himſelf, or to any other in truſt for him, of any lands, tenements, or hereditaments, within the kingdoms aforeſaid; any thing herein contained to the contrary thereof in any wiſe notwithſtanding.

Perſons naturalized by this act, not thereby capable of being privy counſellors, or members of either houſe of parliament, or of holding offices of truſt, in *Great Britain* or *Ireland*,

CAP. XXVI.

An act for allowing further time for inrollments of deeds and wills made by papiſts; and for relief of proteſtant purchaſers.

PREAMBLE reciting the acts 3 *Geo.* I. —— 10 *Geo.* I. —— and 3, 6, 9, 11, 12, 16, 19 *Geo.* II. 26 *Geo.* II. 28 *Geo.* II. —— 31 *Geo.* II. and 33 *Geo.* II. further time given for inrolling deeds and wills of papiſts, till 25th *December*, 1762. —— No deed, will, or leaſe, made good hereby, whereof advantage has been taken of the non-inrollment thereof, before 25th *December*, 1761. —— Purchaſes made by proteſtants ſhall ſtand good, if no advantage has been taken for non-inrollment. —— No grant, leaſe, or mortgage, of the advowſon, or right of preſentation to a living, &c. made by any papiſt in truſt, &c. to be hereby deemed good.

CAP. XXVII.

An act for enabling the judges of the court of ſeſſion in Scotland *to make an adjournment of the ſaid court for ſuch time, betwixt the twentieth day of* December *and the fifteenth day of* January, *yearly, as they ſhall judge moſt convenient, not exceeding twenty days.*

CAP. XXVIII.

An act to prevent the committing of thefts and frauds by perſons navigating bum boats, and other boats, upon the river Thames.

Preamble.

WHEREAS *many ill-diſpoſed perſons, uſing and navigating upon the river* Thames *certain boats commonly called* bum boats, *and other veſſels, under pretence of ſelling liquors of different ſorts; and alſo ſlops, tobacco, brooms, fruit, greens, gingerbread, and other ſuch-like ware and things, to and amongſt the ſeamen and labourers employed in and about ſhips, veſſels, and other craft there, do frequently take occaſion to cut, damage, and ſpoil the cordage, cables, buoys, and buoy ropes, and the headfaſts and other faſts belonging to ſuch ſhips, veſſels, and craft, and fradulently carry away the ſame; likewiſe encourage ſuch ſeamen and labourers to diſpoſe of ſuch cordage, cables, and buoys, and ſuch goods, merchandizes, materials, and ſtores, ſecretly and unlawfully, whereby great loſſes are ſuſtained by merchants, and owners of ſuch ſhips, veſſels, and other craft, in the ſaid river: for remedy whereof,* be it enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That from and after the twenty fourth day of *June*, one thouſand ſeven hundred and ſixty two, if any perſon or perſons ſhall uſe, lett out to hire, lend, or navigate, or ſhall be aiding or aſſiſting in uſing or navigating upon the ſaid river, any bum boat, or other boat, for the purpoſe of ſelling, bartering, exchanging, or expoſing to ſale, to and amongſt the ſeamen and labourers employed in and about ſhips, veſſels, and other craft, any liquors, ſlops, tobac-

From and after the 24 June, 1762, perſons uſing, letting out to hire, lending, or navigating, &c. bum boats, or other boats,

co,

co, brooms, or any fruit, greens, gingerbread, or other ſuch-like ware; or ſhall ſell, barter, exchange, or expoſe to ſale as aforeſaid, any ſort of liquor, or any ſlops, tobacco, brooms, or any fruit, greens, gingerbread, or other ſuch-like ware or things in, from, or out of, any bum boat, or other boat (other than and except ſuch bum boats and other boats and veſſels, as ſhall be entered in the office of the maſter, wardens, and aſſiſtants of the guild, fraternity, or brotherhood, of the moſt glorious and undivided *Trinity*, and of *Saint Clement* in the pariſh of *Deptford Strond* in the county of *Kent*, in manner herein after mentioned, and ſhall be uſed and navigated for the purpoſes aforeſaid, in the day-time, between ſun-riſing and ſun-ſetting only) or if any perſon or perſons ſhall take in exchange, or by way of barter, or ſhall unlawfully receive, or procure to be delivered to them, any ropes, cordage, tackle, apparel, furniture, ſtores, materials, or any part of any cargo or loading of any ſhips or veſſels in the ſaid river, all and every ſuch perſon or perſons reſpectively ſhall, upon conviction thereof before any juſtice or juſtices of the peace of and within any county, city, diviſion, liberty, or place adjoining to the ſaid river, upon the oath of one or more credible perſon or perſons, be deemed guilty of a misdemeanor; and it ſhall and may be lawful for any perſon or perſons to apprehend and detain all perſons then on board ſuch boat, and alſo to ſeize, ſearch, and detain, in ſome place of ſafety, ſuch boat, and the tackle, apparel, and furniture, and loading thereof; and the perſon and perſons ſo apprehended ſhall be (as ſoon as conveniently may be) conveyed before ſuch juſtice or juſtices of the peace as aforeſaid; and ſuch boat, with the ſaid tackle, apparel, furniture, and loading thereof, ſhall, upon ſuch conviction as aforeſaid, be forfeited and diſpoſed of as is herein after mentioned.

on the river, for the purpoſe of ſelling liquors, ſlops, tobacco, brooms, gingerbread, or garden ware, &c. except ſuch boats as ſhall be entered at the office of the Trinity houſe, &c. and perſons taking in exchange, or by way of barter, or unlawfully receiving, &c. any ropes, cordage, goods, ſtoors, or merchandize, of veſſels in the river; being convicted before a juſtice ſhall be deemed guilty of a miſdemeanor; and the boat, with thoſe on board, may be ſeized and ſearched, and the perſons conveyed before a juſtice; and the boat, with her furniture and ſuch conviction ſhall be forfeited.

lading, upon

II. And be it enacted by the authority aforeſaid, That from and after the twenty fourth day of *June*, one thouſand ſeven hundred and ſixty two, every bum boat, or other boat whatſoever, uſed and navigated for the purpoſes aforeſaid, upon the ſaid river between *London Bridge* and the *Lower Hope Point*, ſhall be entered by the owner or owners thereof with the maſter, wardens, and aſſiſtants at their office at the *Trinity houſe*, in *Water Lane*, *London*, ſpecifying the name or names, and place or places of abode of ſuch owner or owners; to the intent that the ſaid maſter, wardens, and aſſiſtants may regiſter every ſuch entry, and deliver in writing to ſuch owner or owners a number to be marked on one or more part or parts of every ſuch bum boat, or other boat; and every ſuch owner or owners ſhall cauſe the number ſo delivered to be forthwith marked, together with his, her, or their chriſtian and ſurname or names, and place or places of abode, upon ſuch part or parts of the ſaid boat ſo entered as aforeſaid, in ſuch manner as the ſaid maſter, wardens, and aſſiſtants ſhall, from time to time, direct

Bum boats, and others, uſed upon the river for the purpoſes aforeſaid, are to be entered by the owners at the office of the Trinity houſe in Water Lane, and a number thereupon is to be given them, to be marked, with their chriſtian and ſurnames and place of abode, on

the ſaid boats, as the Trinity company ſhall direct.

and appoint, in purſuance of the authorities and directions herein after given for that purpoſe.

A freſh entry is to be made, and every thing elſe to be done, as above directed, by the new owner, every time the property of ſuch boat

III. Provided alſo, That every time, and ſo often as the property of any ſuch bum boat, or other boat, ſhall be varied or altered, the new owner or owners ſhall forthwith make a freſh entry of the ſame, and cauſe the number delivered in purſuance thereof to be marked on the ſaid boat, together with his, her, or their chriſtian and ſurname or names, and place or places of abode, upon ſuch part or parts of the ſaid boat, and in like manner as is herein before directed, at the firſt entering of any ſuch boat.

ſhall be altered.

The ſaid company is to receive and regiſter all ſuch entries, and deliver out numbers to be marked on the boats, upon being paid 5s. for the ſame; and they are to make orders, &c. for aſcertaining the manner in which the number and the names and abode of the owners, are to be marked on the boat, and on what part thereof the ſame ſhall be done, and how renewed, and kept legible; which after publication in be obſerved by

IV. And be it further enacted, That the ſaid maſter, wardens, and aſſiſtants, ſhall, and they are hereby impowered and required, to receive and regiſter every ſuch entry in a book or roll to be provided and kept for that purpoſe, and to deliver out a number, in writing, to ſuch owner or owners, to be marked on one or more part or parts of ſuch boat, in ſuch manner as ſhall be directed and appointed in purſuance of this act; for the regiſtering which entry, and delivering out ſuch number, the ſum of five ſhillings ſhall be paid, and no more; and the ſaid maſter, wardens, and aſſiſtants, are hereby authorized and impowered to take and receive the ſame, and, from time to time, to make ſuch orders, rules, and regulations, as they ſhall think requiſite and proper, for the aſcertaining the part or parts of ſuch boat on which the ſaid number, and the names and place or places of abode of the owner or owners thereof, ſhall be marked, and in what manner, and of what dimenſions the figure or figures and letters, compoſing ſuch number, and names and place or places of abode, ſhall be made, and how the ſame ſhall be, from time to time, renewed, and kept fair and legible; and that all ſuch orders, rules, and regulations, after one publication thereof in the *London gazette*, and printed copies of the ſame being affixed at *Iron Gate*, the *Hermitage*, *Execution Dock*, *Shadwell Dock*, *Rotherhithe Old Stairs*, *Deptford*, *Radcliffe Croſs*, and *Blackwall*, ſhall be obſerved by, and binding upon, every owner and owners of ſuch boats ſo entered as aforeſaid.

the London gazette, and copies thereof affixed at the proper places, ſhall the owners of ſuch boats.

The maſter and wardens of the ſaid company, or perſons deputed by them, alſo all owners or maſters of veſſels in the river, or perſons au-

V. And be it enacted by the authority aforeſaid, That it ſhall and may be lawful for the ſaid maſter, wardens, and aſſiſtants, or ſuch perſon or perſons as they ſhall from time to time depute and appoint under the ſeal of their corporation, and for all owners or maſters of ſhips or veſſels, either in whole or in part, in the ſaid river reſpectively, or for ſuch perſon and perſons as the ſaid owners and maſters, or any ſeven or more of them, by writing under their hands and ſeals, ſhall, for that purpoſe, nominate, depute, and appoint (and which it ſhall be lawful for them, from time to time, to do) at any time or times from

and

and after the twenty fourth day of *June*, one thouſand ſeven hundred and ſixty two, to ſtop, ſearch, and detain, in ſome place of ſafety, any boat, which there ſhall be reaſon to ſuſpect has any ropes, cordage, tackle, apparel, furniture, ſtores, materials, or any part of any cargo or lading, ſtolen, or unlawfully procured, from or out of any ſhip or veſſel in the ſaid river; and alſo to apprehend and detain, or cauſe to be apprehended and detained, any perſon or perſons who may be reaſonably ſuſpected of having or conveying any ſuch goods, ſtores, or things, in ſuch boat; and ſuch perſon or perſons ſo apprehended, ſhall be (as ſoon as conveniently may be) conveyed before one or more juſtice or juſtices of the peace for any county, city, diviſion, liberty, or place, adjoining to the ſaid river: and if ſuch perſon or perſons ſhall not produce the party or parties, from whom he, ſhe, or they, bought or received ſuch merchandizes, goods, ſtores, or things, aforeſaid, or ſome credible perſon to depoſe, upon oath, the ſale or delivery thereof, or ſhall not give an account to the ſatisfaction of ſuch juſtice or juſtices, how he, ſhe, or they, came by the ſame; that then the ſaid perſon or perſons ſo apprehended ſhall be deemed and adjudged guilty of a miſdemeanor; and ſuch boat, with her tackle, apparel, furniture, and loading, ſhall, upon ſuch conviction, be forfeited and diſpoſed of as is herein after directed.

thorized by 7 or more of them, may ſtop and ſearch any boat ſuſpected to have any ropes and ſtores, or other materials, &c. ſtolen, or unlawfully procured from out of veſſels in the river; and carry the perſons ſuſpected of being concerned therein before a juſtice, and they not giving a ſatisfactory account how they came by the ſame, ſhall be adjudged guilty of a miſdemeanor; and the boat and loading, &c. ſhall be forfeited.

VI. And be it further enacted by the authority aforeſaid, That every conſtable, headborough, and beadle, and every watchman (during ſuch time as he ſhall be on duty) of every pariſh and place where he ſhall be an officer, ſhall and may apprehend and detain, or cauſe to be apprehended and detained, all and every perſon and perſons, who may reaſonably be ſuſpected of having or carrying, or any ways conveying, any ropes, cordage, tackle, apparel, furniture, ſtores, materials, or any part of any cargo or lading, ſtolen or unlawfully procured from or out of any ſhip or veſſel in the ſaid river *Thames*, and alſo ſhall and may ſeize and detain in ſome place of ſafety ſuch merchandizes, goods, ſtores, and things aforeſaid, and ſhall, as ſoon as conveniently may be, convey, or cauſe the perſon or perſons ſo apprehended to be conveyed before any one or more juſtice or juſtices of the peace, for any county, city, diviſion, liberty, or place, adjoining to the ſaid river; and if ſuch perſon or perſons ſhall not produce the party or parties from whom he, ſhe, or they, bought or received the ſame, or ſome credible perſon, to depoſe upon oath the ſale or delivery thereof, or ſhall not give an account, to the ſatisfaction of ſuch juſtice or juſtices, how he, ſhe, or they, came by the ſame, that then the ſaid perſon and perſons ſo apprehended ſhall be deemed and adjudged guilty of a miſdemeanor.

Conſtables and beadles and watchmen when on duty, may ſeize all ropes, ſtores, or other goods ſuſpected to be ſtolen, or unlawfully procured from out of veſſels in the river, and carry the perſons concerned therein before a juſtice, and they, not giving a ſatisfactory account how they came by the ſame, ſhall be adjudged guilty of a miſdemeanor.

VII. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful for any juſtice of the peace, upon information made to him on oath, by any credible perſon or per-

Juſtices upon information on oath of a ſuſpicion of

the conceal-ment of ſtolen goods or mer-chandizes, may grant a ſearch war-rant; and the goods thereupon found, are to be ſecured; and the per-ſons of the houſe, &c. are to be brought be-fore a juſtice: and they, not giving a ſa-tisfactory ac-count how they came by the ſame, ſhall be ad-judged guilty of a miſde-meanor.

perſons, that there is cauſe to ſuſpect that any merchandizes, goods, ſtores, or things (ſuſpected to have been ſtolen or unlawfully come by, or taken from ſome ſhip or veſſel in the ſaid river) are concealed in any dwelling houſe, warehouſe, outhouſe, yard, garden, or other place, by warrant under his hand and ſeal, to cauſe every ſuch dwelling-houſe, warehouſe, outhouſe, yard, garden, and place, to be ſearched in the day time: and if any ſuch merchandizes, goods, ſtores, or things, ſhall be found therein, to cauſe the ſame to be depoſited and kept in ſome place of ſafety; and alſo to cauſe the perſon or perſons in whoſe houſe, warehouſe, outhouſe, yard, garden, or other place, the ſame ſhall be found, to be brought before him, or any other juſtice or juſtices of the peace for the ſame county, city, diviſion, liberty or place; and if ſuch perſon or perſons ſhall not give an account to the ſatisfaction of ſuch juſtice or juſtices, how he, ſhe, or they, came by the ſame, or ſhall not within ſome reaſonable and convenient time, to be ſet by ſuch juſtice or juſtices, produce the party or parties of or from whom he, ſhe, or they, bought or received the ſame merchandizes, goods, ſtores, or things, that then the perſon or perſons in whoſe houſe, warehouſe, outhouſe, yard, garden, or other place, the ſame ſhall be found, ſhall be deemed and adjudged guilty of a miſdemeanor.

Where perſons ſhall be convicted of either of the laſt-mention-ed miſde-meanors, the juſtice may cauſe the goods to be depoſited with the church-wardens, &c. who are to advertiſe the ſame, if with-in the bills of mortality; and if not, notice is to be given by the public cryer, and al-ſo affixed on the church or chapel door, that the own-ers may come and make their claim, within 30 days; and they proving their property therein,

VIII. And be it enacted by the authority aforeſaid, That upon any perſon or perſons being convicted of either of the ſaid laſt-mentioned miſdemeanors, it ſhall and may be lawful for ſuch juſtice or juſtices, before whom ſuch perſon or perſons was or were convicted, to cauſe ſuch merchandizes, goods, ſtores, or things, to be depoſited in the cuſtody of the churchwardens or overſeers of the poor of the place where they ſhall have been ſo firſt depoſited as aforeſaid (who are hereby required to receive the ſame) or in any other convenient place, for any time not exceeding thirty days; and to order ſuch churchwardens and overſeers of the poor, or one of them, if the ſame ſhall happen to be in any of the pariſhes or places within the bills of mortality, to inſert immediately an advertiſement in ſome publick news paper; and if the ſame ſhall happen to be in any other pariſh or place, to cauſe notice to be immediately given by ſome publick cryer, and by affixing on the church or chapel door, a notice in writing, deſcribing ſuch merchandizes, goods, ſtores, or things, and where the ſame ſhall have been ſo depoſited, to the end that perſons having loſt any ſuch, or any reputable perſon on their behalf, may come and claim the ſame, within thirty days from the time of giving and affixing ſuch notice as aforeſaid; and in caſe any perſon or perſons do or ſhall, within the ſpace of ſuch thirty days, prove his, her, or their property in and to the ſaid merchandizes, goods, ſtores, or things, upon oath, to the ſatisfaction of one or more juſtice or juſtices as aforeſaid, that then ſuch juſtice or juſtices ſhall order reſtitution of ſuch merchandizes, goods, ſtores, or things, to be made to the owner or owners thereof, after paying the reaſonable charges

ges of ſeizing, removing, depoſiting, and giving publick notice as aforeſaid, and alſo reaſonable compenſations to the perſon or perſons giving ſuch information as aforeſaid; ſuch charges and compenſations to be ſettled and aſcertained by ſuch juſtice or juſtices: but if at the end of the ſaid thirty days (notice having been given as aforeſaid) no ſuch proof ſhall be made as aforeſaid, the ſaid merchandizes, goods, ſtores, or things, ſhall be ſold by the churchwardens or overſeers, in whoſe cuſtody the ſame ſhall have been depoſited as aforeſaid, for the beſt price that can reaſonably be had; and after deducting the charges ſo ſettled as aforeſaid, the remainder of the money ariſing from ſuch ſale ſhall be given, one moiety thereof to the perſon or perſons ſo apprehending or giving information as aforeſaid (as the caſe ſhall be) of the party or parties guilty of the miſdemeanors as aforeſaid, or either of them, and the other moiety to the poor of the pariſh or place where ſuch merchandizes, goods, ſtores, or things, ſhall have been ſo firſt depoſited as aforeſaid.

the juſtice ſhall order reſtitution thereof, upon their paying reaſonable charges, and compenſation to the perſons giving information; but if no ſuch proof be made, the goods, &c. ſhall be ſold by the churchwardens; and the money, after deducting the charges aforeſaid, is to go, one moiety to the informer, and the other to the poor of the pariſh.

IX. And be it further enacted by the authority aforeſaid, That every perſon to whom any goods, ſtores, or things belonging to ſhips or veſſels ſhall be brought and offered to be ſold, pawned, or delivered, ſhall, and he or ſhe is hereby impowered and required (there being reaſonable cauſe to ſuſpect that ſuch merchandizes, goods, ſtores, or things were ſtolen, or unlawfully come by, from or out of any ſhip or veſſel in the ſaid river) to apprehend, ſecure, and carry before a juſtice of the peace for the county, city, diviſion, liberty, or place, where the ſame ſhall be ſo brought or offered, the perſon or perſons ſo bringing or offering the ſame, and in the mean time to ſecure ſuch merchandizes, goods, ſtores, or things; and ſuch perſon or perſons ſo apprehended ſhall be dealt with, and ſuch merchandizes, goods, ſtores, or things, ſhall be depoſited and diſpoſed of in the ſame manner as if he, ſhe, or they had been apprehended by the conſtable, headborough, beadle, or watchman as aforeſaid.

Perſons to whom any ſtores or ſhip goods, &c. ſuſpected to be ſtolen, &c. ſhall be offered to be ſold, pawned, or delivered, may ſtop the ſame, and carry the parties before a juſtice; and the goods ſhall be depoſited and diſpoſed of; and the parties dealt with as if they had been apprehended by the conſtable, &c.

X. And be it further enacted, That every perſon deemed and adjudged guilty of any of the miſdemeanors aforeſaid, ſhall, for every ſuch miſdemeanor forfeit, for the firſt offence the ſum of forty ſhillings; for the ſecond offence the ſum of four pounds, and for every ſubſequent offence the ſum of four pounds; all which ſaid reſpective forfeitures ſhall and may be levied by diſtreſs and ſale of the goods and chattels of every ſuch offender (rendering to him, her, or them the overplus, after charges of the ſaid diſtreſs and ſale deducted) by warrant under the hand and ſeal, or hands and ſeals, of any one or more of ſuch juſtice or juſtices before whom ſuch offender was convicted; which forfeiture ſhall be paid, one moiety thereof to the perſon apprehending ſuch offender or offenders, or giving information as the caſe ſhall be, and the other moiety thereof to the ſaid maſter,

Perſons adjudged guilty of any of the miſdemeanors aforeſaid, forfeit for the 1ſt offence 40s. and for the 2d and every ſubſequent offence 4l. to be levied by diſtreſs and ſale; one moiety to go to the apprehender or informer,

and the other to the maſter and wardens of the *Trinity Houſe* for the uſe of their poor;

ſter, wardens, and aſſiſtants of the ſaid corporation, to be diſtributed among the poor decayed ſeamen and their widows, under the care of the ſaid corporation; and if the ſaid reſpective forfeitures ſhall not be paid, nor ſufficient diſtreſs ſhall be found whereon to levy the ſame, then the ſaid juſtice or juſtices ſhall and may commit every ſuch offender ſo convicted as aforeſaid to the common gaol or other priſon or houſe of correction within his or their juriſdiction, without bail or mainprize, for the ſpace of one month for the firſt offence, and for the ſecond offence for the ſpace of two months, and for every ſubſequent offence, until ſuch offender ſhall be diſcharged by order of the court of general or quarter ſeſſions.

and for want of diſtreſs, the offender to be committed, for the 1ſt offence one month; for the 2d two months; and for every other offence, till diſcharged by order of the court of ſeſſions.

Convictions to be certified to the next quarter ſeſſions, and filed there.

XI. And be it further enacted, That every conviction of any offender in any of the ſaid miſdemeanors ſhall be certified by the juſtice or juſtices of the peace making the ſame, to the next general or quarter ſeſſion of the peace, to be filed and entered amongſt the records of the ſaid ſeſſion; and that ſuch conviction ſhall and may be drawn up on parchment, and certified as follows (that is to ſay)

Form of conviction.

Middleſex, *to wit*, { BE *it remembered, That on the* *Day of* *in the year* A. B. *was convicted before* *of the juſtices of the peace for the county, city, diviſion, liberty, or place aforeſaid* (as the caſe ſhall be) *of a miſdemeanor in one or more of the inſtances before mentioned*, ſpecifying the ſame particularly in the words by which the ſame is or are deſcribed in and by this act, or in any other form of words to the like effect.

Given under *hand and ſeal the day and year aforeſaid.*

Conviction not to be quaſh'd for want of form; nor removeable by *Certiorari*.

Which ſaid conviction, in the ſame or the like form of words, ſhall be good and effectual in law, to all intents and purpoſes, and ſhall not be quaſhed, ſet aſide, or be adjudged void or inſufficient for want of any other form or words whatſoever; nor be liable to be removed by *Certiorari* into his Majeſty's court of *King's Bench*, but ſhall be deemed and taken to be final, to all intents and purpoſes whatſoever.

Perſons convicted of knowingly buying or receiving ſtolen goods from veſſels in the river; or of privately buying or receiving at any time any ſuch goods clandeſtinely,

XII. And be it further enacted by the authority aforeſaid, That from and after the twenty fourth day of *June*, one thouſand ſeven hundred and ſixty two, every perſon who ſhall buy or receive any part of the cargo or loading of, or any goods, ſtores, or things, of or belonging to, any ſhip or veſſel in the ſaid river, knowing the ſame to be ſtolen or unlawfully come by; or ſhall privately buy or receive any ſuch goods, ſtores, or things, or any part of ſuch cargo or loading, by ſuffering any door, window, or ſhutter to be left open or unfaſtened between ſun-ſetting and ſun-riſing for that purpoſe, or ſhall buy or receive the ſame, or any of them, at any time, in any clandeſtine manner, from any perſon or perſons whomſoever, ſhall, being thereof convicted by due courſe of law (although the principal felon or felons, offender or offenders, has or have not been convicted of ſtealing or unlawfully procuring the

the ſame) be tranſported for fourteen years to any of his Majeſty's colonies or plantations in *America*, according to the laws in force for the tranſportation of felons.

or by ſuffering any door, window, or ſhutter at night to be left open or unfaſtened for that purpoſe; ſhall be tranſported for 14 years.

XIII. And be it further enacted by the authority aforeſaid, That if any perſon or perſons ſhall cut, damage, or ſpoil, any cordage, cable, buoys, buoy-rope, head-faſt, or other faſt, fixed to any anchor or moorings belonging to any ſhip or veſſel at anchor or moorings in the river *Thames*, or any rope uſed for the purpoſe of mooring or rafting maſts or timber, or ſhall be aiding or aſſiſting therein, with an intent to ſteal the ſame; ſuch perſon or perſons ſhall, being convicted thereof on the oath of two or more credible witneſſes, be tranſported to ſome of his Majeſty's plantations in *America* for the ſpace of ſeven years, according to the laws now in force for the tranſportation of felons.

Perſons convicted of cutting or ſpoiling any cordage, cable, buoys, buoy-ropes, head-faſt, or other faſt, or ropes of veſſels, at anchor or moorings, in the river, with intent to ſteal the ſame, ſhall be tranſported, together with their aiders therein, for ſeven years.

XIV. And be it further enacted by the authority aforeſaid, That if any perſon being out of priſon, ſhall, after the twenty fourth day of *June*, one thouſand ſeven hundred and ſixty two, by ſtealing, or unlawfully receiving, any part of any cargo or lading of, or any goods, ſtores, or things belonging to, or out of, or from, any ſhip or veſſel in the ſaid river, and ſhall afterwards diſcover two or more perſons who ſhall have bought or received any ſtolen or unlawfully procured goods, ſtores, or things, or any part of any cargo or lading of, or belonging to, or by, from or out of, any ſhip or veſſel in the ſaid river, after the twenty fourth day of *June*, one thouſand ſeven hundred and ſixty two, knowing the ſame to be ſtolen or unlawfully procured, ſo as two or more of the perſons diſcovered ſhall be convicted of ſuch buying or receiving; every perſon ſo diſcovering, ſhall have and be intituled to the gracious pardon of his Majeſty, his heirs and ſucceſſors, for all ſuch felonies by him or her committed at any time or times before ſuch diſcovery made; which pardon ſhall be likewiſe a bar to any appeal brought for ſuch felony.

Any perſon out of priſon concerned in ſtealing or unlawfully receiving goods or merchandize from any veſſel in the river, who ſhall diſcover and convict two others of the like offence, ſhall be intituled to his Majeſty's pardon.

XV. And be it enacted by the authority aforeſaid, That if after the publication of any ſuch orders, rules, and regulations, by the ſaid maſter, wardens, and aſſiſtants, any perſon or perſons ſhall row or navigate, within the limits aforeſaid, any ſuch boat as is herein before directed to be entered, marked, and numbered, not being ſo entered, marked and numbered, as aforeſaid; or having a falſe mark or number, or not having the real name or names, and places of abode of the owner or owners of ſuch boat inſcribed thereon, or not having ſuch names and figures kept fair and legible, in ſuch manner as ſhall have been directed and required, from time to time, by ſuch orders, rules, and regulations; in each of the caſes aforeſaid, every ſuch perſon, being thereof convicted before one or more juſtice or juſtices of the peace of any county, city, diviſion, liberty, or place, near or adjoining to the ſaid river, upon

Perſons rowing or navigating ſuch boats, not being entered, marked, and numbered according to the order of the Trinity company; or having a falſe or fictitious number or mark, forfeit, on conviction before a juſtice, 40 s.

One moiety to the informer, and the other to the Trinity company for the uſe of their poor.

on his or her own confeſſion, or the oath of one or more credible perſon or perſons, ſhall, for every ſuch offence, forfeit and pay the ſum of forty ſhillings; one moiety whereof to be paid to the perſon or perſons who ſhall give information of, and proſecute to conviction, ſuch offender or offenders as aforeſaid, and the other moiety to the ſaid maſter, wardens, and aſſiſtants of the ſaid corporation, to be applied by them as aforeſaid: and it ſhall and may be lawful for any perſon or perſons, upon diſcovery of any ſuch offence or offences, to ſeize and detain any ſuch boat, with all the tackle, apparel, and furniture thereunto belonging; and ſhall thereupon, within the ſpace of forty eight hours after ſuch ſeizure made, give information thereof, and of the nature of the offence, to any one or more juſtice or juſtices of the peace as aforeſaid, who ſhall proceed to hear, and ſhall determine, as ſoon as conveniently may be, upon ſuch information; and if ſuch forfeiture ſhall not be paid within the ſpace of twenty four hours after conviction, then the ſame ſhall be raiſed by ſale of the ſaid boat, and her tackle and appurtenances; and every juſtice of the peace, within his juriſdiction, is hereby authorized and required to iſſue his warrant under his hand and ſeal, directed to the conſtable, or ſome other peace officer of the pariſh or place in which ſuch boat, ſo ſeized as aforeſaid, ſhall be detained, to cauſe ſale to be made thereof, and all her tackle and appurtenances, with all convenient ſpeed, for raiſing the money forfeited for the ſaid offence as aforeſaid, rendering to the offender or offenders the overplus (if any there ſhall be) after deducting the charges of detaining and ſelling ſuch boat.

One moiety to the informer, and the other to the Trinity company for the uſe of their poor.
Upon diſcovery of ſuch offence, the boat and tackle, &c. may be ſeized, and within 48 hours after information is to be given to a juſtice, who is to hear and determine thereupon.
If the forfeiture be not paid within 24 hours, the ſame ſhall be raiſed by ſale of the boat, &c.
by warrant of the juſtice.

Upon complaint to the maſter and wardens of the company, of any thefts or illegal practices being carried on in any boat, or ſuſpected to be carried on, they may ſummon the owner to appear, and inquire into ſuch complaint in a ſummary way; and, on conviction, may take away his number, and refuſe to enter any boat of his for the future.

XVI. And be it further enacted by the authority aforeſaid, That the ſaid maſter, wardens, and aſſiſtants, ſhall and may, and they are hereby authoriſed and required, on any complaint to be made to them by any credible perſon or perſons, of any thefts, robberies, frauds, or other illegal practices being carried on, or reaſonably ſuſpected to be carried on, in any boat ſo to be numbered and marked as aforeſaid, to ſummon the owner or owners thereof to appear before them, or any five or more of them, at the *Trinity Houſe* in *Water Lane*, or other uſual place of meeting appointed or to be appointed, at ſuch time as they ſhall appoint; at which time and place the ſaid maſter, wardens, and aſſiſtants, or any five or more of them, ſhall inquire into the ſaid complaint in a ſummary way; and in caſe the ſaid complaint ſhall be proved to their ſatisfaction, and they ſhall ſo think fit, they the ſaid maſter, wardens, and aſſiſtants, or any five or more of them, being a majority of the members then preſent, may thereupon take away and totally aboliſh the ſaid number ſo given to the ſaid boat as aforeſaid; and alſo may, for the future, refuſe to enter, as before directed, any boat of or belonging to ſuch owner or owners; any thing herein before contained to the contrary notwithſtanding.

Where, on conviction,

XVII. And be it enacted by the authority aforeſaid, That where any perſon or perſons ſhall be convicted of any offence againſt

againſt this act, by which is incurred the forfeiture of any boat, with her tackle and appurtenances, and concerning which, after ſuch conviction, no proviſion is hereby made, it ſhall and may be lawful to and for ſuch juſtice or juſtices of the peace, before whom ſuch conviction ſhall be had, or any other juſtice or juſtices of the peace of and for any county, city, diviſion, liberty, or place, adjoining to the ſaid river *Thames*, on conviction had, and they are hereby reſpectively authorized and required, to cauſe ſuch boat with her tackle and appurtenances, to be totally burnt and deſtroyed, within ſix days next after ſuch conviction as aforeſaid, by warrant under the hand and ſeal, or hands and ſeals of ſuch juſtice or juſtices, directed to the conſtable or other peace officer of the pariſh or place adjoining to the ſaid river, or where ſuch conviction ſhall be had; which ſaid conſtable, or other peace officer, ſhall thereupon cauſe ſuch boat, tackle, and appurtenances, to be ſo burnt and deſtroyed, within the time aforeſaid.

the forfeiture of a boat, &c. is incurred, and no further proviſion made concerning the ſame, the juſtice by his warrant, may order the ſame to be burnt within 6 days.

XVIII. And be it enacted by the authority aforeſaid, That it ſhall and may be lawful for any perſon or perſons, by the authority of this act, and without any other warrant, to apprehend any offender or offenders committing any of the offences herein before mentioned, and intended by this act to be redreſſed, and, with all convenient ſpeed, to convey or deliver every ſuch offender or offenders to a conſtable or ſome other peace officer of the county, city, diviſion, liberty, or place, in or near to which the offence ſhall be committed, or the offender or offenders ſhall be apprehended, in order to be conveyed before ſome juſtice of the peace of ſuch county, city, liberty, or place, there to be dealt with according to law.

Any perſons may apprehend an offender, and deliver him over to a conſtable, to be carried before a juſtice.

XIX. And be it enacted by the authority aforeſaid, That in caſe any perſon or perſons acting in the execution of any of the powers granted by this act, ſhall be obſtructed therein, every perſon ſo obſtructing, and all ſuch as ſhall act in their aſſiſtance, ſhall, on being thereof convicted before the juſtices of the peace, at the general or quarter ſeſſion of the county or city adjoining to the ſaid river, upon the oath of two or more credible perſons, be tranſported to any of his Majeſty's plantations in *America*, for the ſpace of ſeven years according to the law or laws now in force for the tranſportation of felons.

Perſons obſtructing the execution of this act, being convicted at the quarter ſeſſions, ſhall be tranſported for 7 years.

XX. And be it further enacted by the authority aforeſaid, That in all actions, ſuits, trials, and other proceedings, which ſhall or may be had in purſuance of this act, or in relation to any matter or thing herein contained, any member of the ſaid corporation, or any inhabitant of the pariſh, town, or place, in which any offence ſhall be committed, contrary to the true intent and meaning of this act, or wherein any conviction ſhall be made purſuant hereto, ſhall be admitted to give evidence, and ſhall be deemed a competent witneſs, notwithſtanding his being ſuch member of the ſaid corporation, or his or her being ſuch inhabitant as aforeſaid.

Any member of the corporation, or inhabitant of the place, where the offence is committed, may be admitted to give evidence.

XXI. And

Juſtices to adminiſter oaths *gratis*.

XXI. And be it alſo enacted by the authority aforeſaid, That in all caſes where an oath is by this act directed to be taken by any perſon or perſons, it ſhall and may be lawful for any one or more juſtice or juſtices of the peace within the county, city, diviſion, liberty, or place where the matter to be ſworn to ſhall ariſe, and he and they is and are reſpectively hereby authorized and required to adminiſter the ſame, without fee or reward.

Limitation of actions.

XXII. And be it further enacted by the authority aforeſaid, That if any action or ſuit ſhall be commenced or brought againſt any juſtice or juſtices of the peace, or the ſaid maſter, wardens, and aſſiſtants, or any of them, or other officer or perſon whatſoever, acting in the execution of any of the powers in them hereby veſted, for doing, or cauſing to be done, any thing in purſuance of this act, concerning any of the ſaid offences, the ſame ſhall be laid in the county of *Middleſex* or city of *London*, and not elſewhere; and ſhall be commenced within ſix months next after ſuch cauſe of action accrued; and the

General iſſue.

defendant or defendants therein may plead the general iſſue, and give this act, and the ſpecial matter, in evidence, at any trial to be had thereupon, and that the ſame was done in purſuance and by the authority of this act: and if it ſhall appear ſo to have been done, or that ſuch action or ſuit was brought after the time before limited, or in any other place; that then the jury ſhall find for the defendant or defendants; and if upon ſuch action a verdict ſhall be given for the defendant or defendants; or if the plaintiff or plaintiffs ſhall become nonſuited, or diſcontinue his, her, or their action or ſuit, after the defendant or defendants ſhall have appeared; or if, upon demurrer, judgment ſhall be given againſt the plaintiff or plaintiffs, then the

Treble coſts.

defendant or defendants ſhall and may recover treble coſts, and have ſuch remedy for the ſame, as any defendant or defendants hath or have in any caſe by law.

Publick act.

XXII. And be it further enacted by the authority aforeſaid, That this act ſhall be deemed, adjudged, and taken to be a public act: and be judicially taken notice of as ſuch, by all judges, juſtices, and other perſons whomſoever, without the ſame being ſpecially pleaded.

CAP. XXIX.

An act to amend ſo much of an act made in the firſt year of the reign of King James *the firſt, intituled,* An act for the better execution of the intent and meaning of former ſtatutes made againſt ſhooting in guns, and for the preſervation of the game of pheaſants and partridges, and againſt the deſtroying of hares with hare pipes, and tracing hares in the ſnow; *as relates to the preſervation of houſe doves and pidgeons, by making the manner*

manner of convicting ſuch perſon or perſons as ſhall offend therein, more eaſy and expeditious.

Preamble, reciting clauſe in the act 1 Jac. I.

WHEREAS *by an act made in the firſt year of the reign of his Majeſty King* James *the Firſt intituled, "An act for the better "execution of the intent and meaning of former ſtatutes made againſt "ſhooting in guns, and for the preſervation of the game of pheaſants "and partridges, and againſt the deſtroying of hares with hare pipes, "and tracing hares in the ſnow"; it is amongſt other things therein enacted, That all and every perſon and perſons who ſhall kill or deſtroy any houſe dove or pidgeon, and ſhall be thereof convicted by the confeſſion of the party, or by the teſtimony of two ſufficient witneſſes, upon oath before two or more juſtices of the peace, of the county, city, or town, corporate, wherein the offence ſhall be committed, or the parties apprehended, ſuch juſtices ſhall commit every ſuch offender ſo apprehended, to the common gaol of the ſaid county, city, or town corporate, where the offence ſhall be committed, or the party apprehended, there to remain for three months without bail or mainprize, unleſs that the ſaid offender do or ſhall forthwith upon the ſaid conviction pay, or cauſe to be paid, to the churchwardens of the ſaid pariſh where the ſaid offence ſhall be committed, or the party apprehended, to the uſe of the poor of the ſaid pariſh, the ſum of twenty ſhillings for every houſe dove or pidgeon which every ſuch perſon or perſons, ſo offending and convicted as aforeſaid, ſhall take, kill, or willingly deſtroy, contrary to the true purport and true meaning of that act; or after one month after his commitment, together with two ſufficient ſureties, become bound by recognizance in the ſum of twenty pounds apiece, to the King's Majeſty's uſe, his heirs, and ſucceſſors, with condition that he the ſaid party ſo offending, ſhall not at any time thereafter ſhoot at, kill, take, or deſtroy, any houſe dove or pidgeon, by any ſuch means as in the ſaid act are mentioned; which ſaid recognizance ſhall be taken by any two or more juſtices of peace, of the ſaid county, city, or town corporate, where the offender ſhall be ſo impriſoned as aforeſaid, and ſhall be returned to the then next quarter ſeſſions, and there to remain of record as other recognizances taken for the peace, as by the ſaid in part recited act, relation for greater certainty being thereunto had, may more fully appear: and whereas the method of convicting offenders againſt the above recited act, hath hitherto been found, in a great degree, ineffectual, to anſwer the good intentions of the ſaid act: therefore for more ſpeedy convicting and puniſhing perſons who ſhall be guilty of the ſaid miſchievous practice of wilfully killing or deſtroying houſe doves or pidgeons, belonging to other perſons; may it pleaſe your Majeſty that it may be enacted; and* be it enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That after the twenty fourth day of *June*, one thouſand ſeven hundred and ſixty two, if any perſon or perſons ſhall ſhoot at, with an intent to kill, or ſhall by any means whatever, kill or take, with a wilful intent to deſtroy, any houſe dove or pidgeon, and ſhall be thereof convicted by the confeſſion of the party offending, or the oath of one or more credible witneſs or witneſſes, before

After 24 June, 1762, any perſon who ſhall wilfully ſhoot at, or deſtroy any houſe doves or pidgeons belonging to other perſons,

before one or more juſtice or juſtices of the peace of the county, city, town corporate, diviſion, riding, or place (which oath ſuch juſtice or juſtices are hereby authorized to adminiſter) wherein any ſuch offence or offences ſhall be committed, or the party or parties offending ſhall be apprehended, every perſon ſo offending, and who ſhall be convicted as aforeſaid of any ſuch offence, ſhall, for every ſuch offence, forfeit and pay the ſum of twenty ſhillings, to the perſon or perſons who ſhall inform againſt, and proſecute to conviction, any ſuch offender or offenders; and in caſe the money ſo forfeited ſhall not be forthwith paid on every ſuch conviction, it ſhall and may be lawful for ſuch juſtice or juſtices to commit any ſuch offender or offenders, who ſhall be ſo convicted as aforeſaid, to the common gaol of the county, or the houſe of correction in the diviſion or place where the party is convicted or apprehended, there to remain and be kept to hard labour for any time not exceeding three calendar months, nor leſs than one calendar month, as any ſuch juſtice or juſtices ſhall order, unleſs the money forfeited ſhall be ſooner paid.

ſhall forfeit, on conviction, 20s. to the proſecutor; and if not forthwith paid, he may be committed, and kept to hard labour for any time not exceeding 3, nor leſs than 1 Month, unleſs the forfeiture be ſooner paid.

II. Provided always, and it is hereby alſo enacted, That nothing in this act contained ſhall be conſtrued, deemed, or taken, to hinder any owner of a dove cote, pidgeon houſe, pidgeon chamber, or any other place, built up or erected, or to be built up or erected, for the preſervation or breeding of pidgeons, from taking, killing, or deſtroying, by himſelf, or any other perſon by him appointed or authorized for that purpoſe, all or any houſe doves, or pidgeons, which ſhall at any time be taken in the proper dove cote, pidgeon houſe, pidgeon chamber, or any other place, as aforeſaid, for the preſervation or breeding of pidgeons of any owner of ſuch dove cote, pidgeon houſe, pidgeon chamber or other place.

The owners of dove cotes, or other places built for the preſervation or breeding of pidgeons, and thoſe appointed by them, excepted.

III. Provided further, and it is hereby alſo enacted, That no perſon who ſhall be convicted of any offence againſt this act, ſhall be liable to be convicted for any ſuch offence under any former or other act; and that no perſon ſhall be proſecuted for any offence againſt this act, unleſs the proſecution for the ſame ſhall be commenced and carried on with effect within the ſpace of two calendar months after every ſuch offence ſhall be committed; and that where any perſon ſhall ſuffer impriſonment for default of payment of any penalty impoſed under this act, ſuch perſon ſhall not be liable afterwards to pay ſuch penalty.

Offender is liable only to one conviction for the ſame offence; and proſecutions are to be commenced, and carried on with effect, within two months after the offence; and where penalty.

perſons ſuffer impriſonment, they are not liable afterwards to pay the

CAP. XXX.

An act for enlarging and improving the north eaſt avenue of London Bridge.

Preamble, reciting clauſe in act 29 Geo. II.

WHEREAS *by an act made in the twenty ninth year of the reign of his late Majeſty King* George *the Second, intituled,* "*An act to improve, widen, aud enlarge, the paſſage over and* "*through* London Bridge," *the mayor, aldermen, and commons, of the*

the city of London, *in common council aſſembled, were impowered to make ſuch purchaſes, and take down ſuch houſes, edifices, and buildings, ſtanding or being on the ſaid bridge, or contiguous or adjoining thereto, as they ſhould judge neceſſary, for the enlargement and improvement of the paſſage over, and the avenues leading to and from, the ſaid bridge: and whereas the ſaid mayor, aldermen, and commons, of the ſaid city, have proceeded in the execution of the powers granted by the ſaid act, and the paſſage over the ſaid bridge is already, on the eaſtern ſide thereof, ſecured by a proper and uniform baluſtrade, which, in order to avoid the waterworks of* London Bridge, *and preſerve, with regularity, the connexion of the paſſage of the ſaid bridge with* Fiſh-ſtreet hill, *ranges northward upon the pariſh church of the united pariſhes of* Saint Magnus *and* Saint Margaret New Fiſhſtreet, London, *at the north eaſt avenue of the ſaid bridge, almoſt in a line with the arch of the tower or ſteeple of the ſaid church, which forms a ſpacious paſſage through the ſaid tower from north to ſouth: and whereas the good ends and purpoſes of the ſaid act cannot be anſwered, unleſs the ſite or ground of the ſaid pariſh church, on the north and ſouth ſides of the ſaid tower, is, with the ſaid paſſage through the ſame, laid into the north eaſt avenue of the ſaid bridge: but in regard the alteration aforeſaid cannot be made without the authority of parliament, may it pleaſe your moſt excellent Majeſty, that it may be enacted; and* be it enacted &c. &c.

The ground on the North and South ſides of the tower of St. *Magnus church, New-fiſh-ſtreet*, with a paſſage through the tower from North to South, is veſted in the city of *London* for the enlargement of the North-Eaſt avenue of *London bridge*; and ſo much of the fabrick of the ſaid church is to be taken down and removed, as ſhall be neceſſary for that purpoſe; and the city is thereupon to rebuild in a ſuitable manner the Weſtern walls of the church, in a line with the Eaſt ſide of the ſaid tower; and alſo all other works within the body of the church, and without, neceſſary to the ſafety and ornament of the tower; and all injuries occaſioned thereby are to be repaired and made good. —— The great Weſtern doors of the church are to be removed and placed on the Eaſt ſide of the tower, and the ſame paſſage to be preſerved for the public Weſtern entrance into the church; and the ground laid into the North-Eaſt avenue of the bridge may be uſed as a cemetery; but the pavement broken up on that account is to be relaid by the church wardens. —— The city is alſo to build a commodious veſtry-room, and engine-houſe in the church yard. And the materials of ſuch part of the fabrick as ſhall be taken down, are veſted in the city; and what ſhall be found proper, may be employed in the works; and the reſt is to be ſold; and the money paid over to the church wardens for the ſuſtentation of the ſaid works, &c. —— And the city is to pay, by way of compenſation, 13*l. per annum*, chargeable on the *Bridge-houſe eſtates*, to be paid half yearly, *viz.* 5*l.* thereof to the rector; and 8*l.* to the church wardens for the ſuſtentation of the ſaid works, &c. to commence on 29th *Sept.* 1762. —— charges of this act to be paid out of the money granted by parliament for improving the bridge. Powers, &c. in the recited act of 29 *Geo.* II. and 31 *Geo.* II. extended in all applicable caſes to this act. Limitation of actions, general iſſue, treble coſts, public act.

CAP. XXXI.

An act for making perpetual an act for the better regulation and government of ſeamen in the merchants ſervice; and for extending the proviſions thereof to his Majeſty's colonies in America.

Preamble.

WHEREAS *the law herein after mentioned, which hath by experience, been found uſeful and beneficial, is near expiring, may it therefore pleaſe your moſt excellent Majeſty, that it may be enacted; and* be it enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That an act made in the ſecond year of his late Majeſty's reign, intituled, "*An act for* "*the better regulation and government of ſeamen in the merchants* "*ſervice*," which was to be in force for five years, from the twenty fourth day of *June*, one thouſand ſeven hundred and twenty nine, and from thence to the end of the then next ſeſſion of parliament; and which act was, by an act made in the eighth year of the reign of his ſaid late Majeſty, further continued until the twenty fifth day of *March*, one thouſand ſeven hundred and forty nine, and from thence to the end of the then next ſeſſion of parliament; and which act was, by an act made in the twenty third year of the reign of his ſaid late Majeſty, further continued until the twenty fifth day of *March*, one thouſand ſeven hundred and ſixty four, and from thence to the end of the then next ſeſſion of parliament, is temporary, and near expiring; ſhall be, and is hereby, made perpetual.

Act of 2 Geo. II. which was continued by ſeveral ſubſequent acts, is made perpetual.

From and after 1 May, 1764, all the proviſions, penalties, matters, and things, in the ſaid act of 2 Geo. II. are extended to his Majeſty's colonies in America; and the forfeitures applicable to Greenwich hoſpital are to be paid there to the officer conſtituted by the admiralty; and maſters of ſhips deducting any of the ſaid forfeitures out of the ſeamens wages, and not duly paying over the ſame, forfeit treble the value to the uſe of the ſaid hoſpital.

II. And be it further enacted by the authority aforeſaid, That from and after the firſt day of *May*, one thouſand ſeven hundred and ſixty four, all the proviſions, penalties, clauſes, matters, and things, contained in the ſaid act of the ſecond year of his ſaid late Majeſty's reign, ſhall be, and the ſame are hereby, extended to all his Majeſty's colonies in *America*; and that all penalties and forfeitures to be incurred by the ſaid act, and directed to be applied to and for the uſe of *Greenwich hoſpital*, ſhall be paid to ſuch officer or officers in the ſaid colonies, as ſhall on that behalf be appointed by the lord high admiral of *Great Britain*, or the commiſſioners for executing the office of lord high admiral of *Great Britain* for the time being: and in caſe any maſters or commanders, or owners, of any ſhips or veſſels ſhall deduct out of the wages of any ſeaman or mariner any of the penalties and forfeitures which, by the ſaid act, are directed to be deducted and applied to and for the uſe of *Greenwich hoſpital*, and ſhall not pay the money ſo deducted to ſuch officer or officers ſo to be appointed in the port or place in the ſaid colonies where ſuch deduction ſhall be made, within three months after ſuch deduction, every perſon ſo neglecting to pay the money deducted as aforeſaid, ſhall forfeit and pay the treble value thereof to the uſe of the ſaid hoſpital; which, together with the money deducted

ducted as aforeſaid, ſhall and may be recovered by the ſame means and methods as any penalties and forfeitures can or may be recovered by the ſaid act.

CAP. XXXII.

An act for draining and preſerving certain low lands called The Fens, *lying on both ſides of the river* Witham, *in the county of* Lincoln; *and for reſtoring and maintaining the navigation of the ſaid river, from the* High bridge *in the city of* Lincoln, *through the borough of* Boſton, *to the ſea.*

WHEREAS *the river* Witham, *in the county of* Lincoln, *was formerly navigable for lighters, barges, boats, and other veſſels, from the ſea, through* Boſton, *to the* High bridge *in the city of* Lincoln; *but, by the ſand and ſilt brought in by the tide, the outfall thereof into the ſea hath, for many years laſt paſt, been greatly hindered and obſtructed, and is now, in a great meaſure, ſtopped up, loſt, and deſtroyed, and thereby great part of the low lands and fens lying on both ſides of the ſaid river (and which contain together about one hundred thouſand acres) are frequently overflowed, and rendered uſeleſs and unprofitable, to the great loſs of the reſpective owners thereof, the decay of trade and commerce, and the depopulation of the country: and whereas, in the judgment and opinion of experienced engineers, and perſons of known ſkill and ability, the navigation of the ſaid river* Witham, *and the outfall thereof into the ſea, are capable of being reſtored and maintained, and the ſaid low lands and fens of being drained, cultivated, and improved; but, as the neceſſary works, for the effecting the good purpoſes aforeſaid, cannot be made, done, and performed, without the authority of parliament, may it therefore pleaſe your Majeſty, that it may be enacted; and* be it enacted, &c, &c, Preamble.

The boundaries of the low- lands and fens deſcribed. —— Lands divided into ſix diſtricts. Firſt diſtrict, and boundaries thereof. Second diſtrict, and boundaries thereof. Third diſtrict, and boundaries thereof. Fourth diſtrict, and boundaries thereof. Fifth diſtrict, and boundaries thereof. Sixth diſtrict, and boundaries thereof. —— Commiſſioners of diſtricts appointed. Manner of election: firſt diſtrict; 2d. diſtrict; 3d. diſtrict; 4th diſtrict; 5th diſtrict; 6th diſtrict. *South Kyme* deemed a pariſh. —— Electors may appoint deputies. —— Electors to certify elections at firſt meeting of general commiſſioners for drainage. —— Commiſſioners to direct the ſeveral works to be made within their ſeveral diſtricts. Commiſſioners of the diſtricts to meet and elect general commiſſioners. —— General commiſſioners. —— Commiſſioners for diſtricts may adjourn their meetings. —— Qualification of general commiſsioners —— Oaths of general commiſsioners —— Penalty on perſons acting if not qualified. —— Heirs apparent of 200*l. per annum*, taking the oath of office, may act as commiſsioners. —— General commiſsioners may appoint agents. —— Continuance of the commiſsioners of the diſtricts, continuance of the general commiſsioners. —— Commiſsioners of diſtricts dying, others to be elected. General commiſsioners dying, others to be elected. —— If new commiſsioners are not elected, former commiſsioners to continue. —— Firſt meeting of the general commiſsioners. —— Annual meetings. —— Commiſsioners to make contracts with workmen, &c. which are to be entered in a book. —— The acre-tax for the general drainage. ——

Taxes veſted in commiſsioners. General commiſsioners to pay the proprietors of lands within the ſixth diſtrict their expence of ſurveys, &c. —— Diſtricts chargeable with further yearly taxes for private works. The commiſsioners for the 1ſt. 3d. and 6th diſtricts to do the like on application; but not to obſtruct waters occaſioned by ſoakage or downfall from taking their natural courſe into the river *Witham* or haven. Lands in the 6th diſtrict to be jointly taxed with the lands through which ſuch waters ſhall be conveyed. —— If private works be found beneficial to towns in any other diſtrict, ſuch towns to contribute in proportion. —— Commiſsioners of the 4th diſtrict to raiſe taxes within *Wildmore* and *Weſt Fens*, by encloſing a part thereof: exception. Such incloſures not to be ſubject to tythes. —— Taxes to be raiſed in like manner in *Holland Fen*: exception. Rights of lords of manors in *Holland Fen*, ſaved. —— A ſufficient part of any other commons may be incloſed for payment of taxes by conſent: exception. Such incloſures not to be ſubject to tythes. —— Commiſsioners of the diſtricts, wherein *Holland*, *Wildmore* and *Weſt Fen* lie, to apply monies ariſing from ſale of lands cut through for the new river towards incloſing of lands, and payment of taxes. —— Tenants to pay taxes, and deduct the ſame; except leaſes, which will not expire till after the end of 14 years; and church-leaſes. —— Proprietors to give in an account of their lands. —— Determination of diſputes about high lands. —— Perſons refuſing to pay taxes, the ſame to be levied by diſtreſs and ſale. Grounds unoccupied to remain a ſecurity. —— General commiſsioners to incloſe lands in *Holland*, *Wildmore* and *Weſt Fens*, in caſe the taxes aſſeſſed thereon are not paid in due time. —— Works, to be ordered by the general commiſsioners. —— River *Witham* to be widened, &c. Surface of the water thereof to be 2 feet below the medium ſurface of lands adjoining. —— The ſame number of workmen to be employed on the mother river, as on the ſide rivers. —— Relating to *Anthony's Gowt* and *Maud Foſter's Gowt*. —— Proviſo relating thereto. —— Materials veſted in general commiſsioners. —— Side rivers or drains to be ſcoured, &c. at the general charge. —— Deſcription thereof. —— Commiſsioners may heighten, &c. the banks. —— A cut to be made from *Langrike Gowt* to the new cut, or the river, and another from *Lodowick's Gowt* to the new cut or river, at the general charge. —— Outring and diviſion dykes to be kept open by the proprietors. —— Lords of manors may make diviſion dykes at their own expence, but not to interfere with the works of drainage. —— *Lodowick's Gowt* to be ſupported at the general charge. —— Tunnels under *Kyme-eau* and *Billinghay Skirths* to be removed. —— Proprietors of lands in *North Kyme* and *Billinghay dales*, to lay a tunnel under *Kyme-eau*, if occaſion. —— *Damptford Tunnel* to be continued, and other tunnels for watering cattle in dry ſeaſons. —— A moveable ſtaunch to be erected in *Kyme-eau*, above *Drury-dyke*; and the tunnels continued at *How Bridge*. —— If a ſufficient quantity cannot be iſſued for cattle in *Wildmore Fen*, the commiſsioners of the 4th diſtrict may place removeable ſhuttles to raiſe the water. —— Bed of the *Witham*, where not encloſed, veſted in the commiſsioners. —— The ſea ſluice and rivers to be maintained at the general charge. —— Staunches to keep back land water, how to be erected. Commiſsioners of the diſtricts to exchange lands ſeparated by the new cut. —— The ferry and road between *Tattershall* and *Billinghay*, preſerved. —— Bank of *Billinghay Skirth* not to be leſs than 12 feet in width. —— Rights of owners of ferries reſerved. —— A bridge to be built to preſerve a communication between *Boſton Weſt* and *Holland Fen*. —— Fords to be repaired or bridges built. —— Annuities to be granted for money borrowed, or taxes aſsigned. —— Notice to be given of borrowing money. —— Power for mortgagees to enter and recover. —— Mortgages, &c. to be deemed perſonal eſtates, and may be aſsigned. Tenants for life may charge the lands for money borrowed to pay the taxes. —— Intereſt when to ceaſe. —— Regular accounts of payment, &c, to be kept. —— Money in treaſurers hands, not wanted for the works, may be placed out on ſecurities. —— No order of general commiſsioners to be reverſed, unleſs 11 commiſsioners be preſent, and 7 conſent. —— Commiſsioners for navigation. —— Election of drainage commiſsioners to be declared under ſeal of corporation. ——

Commiſsioners

Commiſsioners firſt meeting; they may adjourn. —— In default of a ſufficient number to act, notice to be given of another meeting. —— Commiſsioners of navigation to contract with workmen; to c er works upon the river, or ſide rivers, &c. to make new cuts, &c. to cut and make uſe of ſoil, &c. to remove impediments; to erect bridges, locks, &c. to dig, and carry away gravel, &c. to ſet out haling ways; and to cauſe a lock to be made by the ſide of the ſea ſluice. —— Works of navigation not to prejudice the works of drainage. —— Penalty of breaking open gates or locks, 5*l.* —— No lock, &c. to be higher than within two feet of the natural ſoil of the loweſt lands adjoining. —— Commiſsioners to purchaſe ground to build houſes for lock keepers. —— Tolls veſted in the commiſsioners; may be levied by diſtreſs. Diſtreſs may be ſold after 5 days. —— Tolls to be taken at *Lodowicks* drain. —— Inhabitants of the 11 towns in *Holland Fen* exempted from toll. —— Free navigation. —— Commiſsioners may borrow money on the tolls. Tolls may be leſſened. —— Commiſsioners impowered to purchaſe lands, &c. Bodies politick, &c. may contract for the ſale of ſuch lands. —— Where perſons ſhall refuſe or neglect to treat, commiſsioners to iſſue their warrants to the ſheriff to impanel a jury Jurors may be challenged. Witneſſes to be ſummoned, and examined upon oath. Jury to aſſeſs the damages. Verdict of the jury to be binding. —— Truſtees may impoſe a fine on ſheriff, &c. making default in the premiſſes. Fine not to exceed 5*l.* —— Agreements, &c. to be filed with the clerk of the peace. —— Upon payment or tender of the purchaſe money, commiſsioners may make uſe of the lands. —— Expences of the jury how to be paid. —— Commiſsioners to appoint officers, &c. and to allow them ſalaries. —— Treaſurers to enter receipts and payments in a book, and to account upon oath. —— Reports to be made of loading by navigation. —— Commiſsioners may ſet up gates, &c. over the ditches and fences in the towing-paths. —— Boat-maſters, &c. anſwerable for damages done by their crew to bridges, &c and for treſpaſſes. Damages to be determined by two juſtices. —— Boatmen obſtructing the paſſage of boats, &c. ſubject to a penalty; to be levied by diſtreſs and ſale; and for want of diſtreſs the offender to be committed. —— Veſſels ſunk to be weighed up, and detained till ſatisfaction made. —— Maſters to have their names ſet on the outſide of the boat, &c. For want of which, or opening the gates, &c. to let the water run waſte, ſubject to a penalty; to be recovered by diſtreſs and ſale; for want of diſtreſs the offender to be committed. —— Perſons aggrieved may appeal to the quarter ſeſsions, &c. Order of ſeſsions not removeable by *certiorari*, nor vacated for want of form. —— Application of the fines. —— Deſtroying works made felony. —— Commiſsioners may make buy-laws. Perſons aggrieved thereby may appeal to the quarter-ſeſsions. —— No juſtice, who ſigned the buy-law to act or vote in the determining ſuch complaint. —— Orders of the commiſsioners to be entered in a book, and ſigned; and to be admitted as evidence. —— Commiſsioners may act as jurors. —— No commiſsioner to act, holding a place of profit. —— Lock-keeper not to ſell ſpirituous liquors. —— Commiſsioners not to act but at a meeting held in purſuance of this act. —— Writings to be without ſtamps. —— Perſons aggrieved by any irregularity in diſtraining, to recover for the ſpecial damage only. —— Expences of this act how to be paid. —— Works of drainage or navigation not ſubject to commiſsioners of ſewers, except, &c. —— Part of act 22 and 23 *Car.* II. repealed. —— No toll to be paid for pleaſure boats. —— Reſervation of rights. —— If drainage and navigation not compleated in 14 years, mayor, &c. of *Lincoln* to undertake it, from *Canwick rings* to the *High bridge* in *Lincoln*. Limitation of actions. General iſſue. Treble coſts. Public act.

CAP. XXXIII.

An act for granting to his Majeſty a certain ſum of money out of the ſinking fund; and for applying certain monies remaining in the exchequer for the ſervice of the year one thouſand ſeven hundred and ſixty two; and for ſettling and ſecuring a certain annuity for the uſe of the right honourable Arthur Onſlow, *ſpeaker of the houſe of commons in the laſt five parliaments.*

Moſt Gracious Sovereign,

WE *your Majeſty's moſt dutiful and loyal ſubjects the commons of* Great Britain, *in parliament aſſembled, being deſirous to raiſe the reſidue of the neceſſary ſupplies which we have chearfully granted to your Majeſty in this ſeſſion of parliament, by ways and means the leaſt burthenſome to your Majeſty's ſubjects, have reſolved to give and grant to your Majeſty the ſum herein aftermentioned; and do therefore moſt humbly beſeech your Majeſty, that it may be enacted; and* be it enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That by or out of ſuch monies as ſhall, from time to time, be and remain in the receipt of the exchequer, of the ſurpluſſes, exceſſes, overplus monies, and other revenues, compoſing the fund commonly called *The ſinking fund*, after paying or reſerving ſufficient to pay all ſuch ſums of money as have been directed by any former act or acts of parliament to be paid out of the ſame, there ſhall and may be iſſued and applied for and towards making good the ſupply granted to his Majeſty for the ſervice of the year one thouſand ſeven hundred and ſixty two, a ſum not exceeding one million nine thouſand two hundred ſeventeen pounds, two ſhillings, and eight pence halfpenny; and the commiſſioners of his Majeſty's treaſury, or any three or more of them now being, or the high treaſurer, or any three or more of the commiſſioners of the treaſury for the time being, are hereby authorized and impowered to iſſue and apply the ſame accordingly.

There ſhall be iſſued 1,009,217l. 2s. 8d. 2q. out of the ſinking fund;

II. And be it further enacted by the authority aforeſaid, That the ſum of one hundred and fifteen thouſand pounds, granted by an act made in the ſecond year of his late Majeſty's reign, upon account of arrears of his late Majeſty's civil liſt revenues, and now, by his Majeſty's direction, replaced and refunded out of the arrears of the ſaid revenues, which were ſtanding out at the time of his late Majeſty's demiſe; and alſo the ſum of twenty thouſand pounds, remaining in the receipt of the exchequer, being part of the ſum of one hundred thouſand pounds, granted to his late Majeſty, in the year one thouſand ſeven hundred and fifty eight, upon account, towards defraying the charge of pay and cloathing for the militia, for the year one thouſand ſeven hundred and fifty eight, and for defraying ſuch expences as were actually incurred upon the account of the militia, in the year

115,000l. being monies replaced of the arrears of his late Majeſty's civil liſt revenues; 20,000l. remaining unapplied of the money granted in the year 1758, towards the charge of pay and cloathing for the militia;

year one thouſand ſeven hundred and fifty ſeven; and alſo the ſum of eighty thouſand pounds, remaining in the receipt of the exchequer, which was granted to his late Majeſty, in the year one one thouſand ſeven hundred and ſixty, upon account, towards defraying the charge of pay and cloathing for the unembodied militia, for the year ended the twenty fifth day of *March*, one thouſand ſeven hundred and ſixty one; and alſo the ſum of ſeventy thouſand pounds, remaining in the receipt of the exchequer, which was granted to his Majeſty in the laſt ſeſſion of parliament, upon account, towards defraying the charge of the pay of the militia of that part of *Great Britain* called *England*, when unembodied, and of the cloathing of the part of the ſaid militia then unembodied, for one year, beginning the twenty fifth day of *March*, one thouſand ſeven hundred and ſixty one; and alſo the ſum of ſeventy three thouſand ſix hundred and ſeventy eight pounds, remaining in the receipt of the exchequer, being the ſurplus of the ſeveral duties on malt, eſtabliſhed by an act made in the thirty third year of the reign of his late Majeſty, for paying annuities granted in the year one thouſand ſeven hundred and ſixty, after ſatisfying all charges and incumbrances thereupon, to the fifth day of *January*, one thouſand ſeven hundred and ſixty two, ſhall and may be, in like manner, iſſued and applied at the ſaid receipt, for and towards the ſaid ſupply.

80,000l. remaining unapplied of the money granted in the year 1760, towards pay and cloathing of the unembodied militia; and 70,000l. remaining alſo unapplied of the money granted in the year 1761, for the like purpoſes; and 73,678l. ſurplus in the exchequer of the duties on malt, to 5 Jan. 1762.

III. And it is hereby enacted by the authority aforeſaid, That in caſe the ſaid commiſſioners of his Majeſty's treaſury, or any three or more of them now being, or the high treaſurer, or any three or more of the commiſſioners of the treaſury for the time being, ſhall think it adviſeable to raiſe the ſaid ſum of one million nine thouſand two hundred ſeventeen pounds, two ſhillings, and eight pence halfpenny, or any part thereof, by loans or exchequer bills, in manner herein after-mentioned, that it ſhall and may be lawful to and for any perſon or perſons, natives or foreigners, bodies politick or corporate, to advance or lend to his Majeſty, at the receipt of his Majeſty's exchequer, any ſum or ſums of money not exceeding the ſaid ſum of one million nine thouſand two hundred ſeventeen pounds, two ſhillings, and eight pence halfpenny, upon the credit of the ſaid ſurpluſſes, exceſſes, and overplus monies, or other revenues compoſing the ſinking fund, and to have and receive intereſt for the forbearance of the money lent, ſo as ſuch loans be allowed to be made by the ſaid commiſſioners of the treaſury, or any three or more of them now being, or the high treaſurer, or any three or more of the commiſſioners of the treaſury for the time being, who are hereby authorized to iſſue their warrants for that purpoſe, as faſt as ſuch loans ſhall be wanted for the public ſervice; and moreover that no money to be lent upon the ſecurity of this act, ſhall be rated or aſſeſſed to any tax or aſſeſſment whatſoever.

Clauſe of loan for raiſing the aforeſaid ſum of 1,009,217l. 2s. 8d. 2q.

IV. And be it further enacted, That all and every perſon or perſons who ſhall lend any money upon the credit of this act as aforeſaid, and pay the ſame into the receipt of the exchequer, ſhall

Tallies of loan may be ſtruck for the ſame.

ſhall immediately have a tally of loan ſtruck for the ſame, and in order for his, her, or their repayment, bearing the ſame date with his, her, or their tally, in or upon which order ſhall be alſo contained a warrant for payment of intereſt for the forbearance thereof, and to be paid every three months, until the repayment of the principal; and all ſuch orders for repayment of money, ſo to be lent, ſhall be regiſtered in courſe, according to the dates reſpectively; and that all and every perſon and perſons ſhall be paid in courſe, according as their orders ſhall ſtand regiſtered in the ſaid regiſter books, ſo as the perſon or perſons, natives or foreigners, his, her, or their executors, adminiſtrators, or aſſigns, who ſhall have his, her, or their order or orders firſt entered in the ſaid books of regiſter, ſhall be taken and accounted to be the firſt perſon or perſons to be paid out of the ſaid ſurpluſſes, exceſſes, or other revenues; and he, ſhe, or they, who ſhall have his, her, or their order or orders next entered, ſhall be taken and accounted to be the ſecond perſon to be paid, and ſo ſucceſſively and in courſe; and that the monies to come in of or for the ſaid ſurpluſſes, exceſſes, and overplus monies, or other revenues compoſing the ſinking fund, as aforeſaid, ſhall be in the ſame order liable to the ſatisfaction of the ſaid reſpective perſons, and body or bodies politick or corporate, their executors, adminiſtrators, ſucceſſors, or aſſigns reſpectively, without any undue preference of one before another, and not otherwiſe; and ſhall not be diverted or divertible to any other uſe, intent, or purpoſe whatſoever (other than ſuch uſes and purpoſes as are appointed by any other act or acts of parliament in that behalf as aforeſaid;) and that no fee, reward, or gratuity, directly or indirectly, ſhall be demanded or taken of any of his Majeſty's ſubjects, for providing or making of any ſuch books or regiſters, or any entries, views, or ſearches, in or for payment of money lent, or the intereſt thereof, as aforeſaid, by any of his Majeſty's officer or officers, their clerks or deputies, on pain of payment of treble damages to the party grieved, by the party offending, with full coſts of ſuit; or if the officer himſelf take or demand any ſuchfee or reward, then to loſe his place alſo; and if any undue preference of one before another ſhall be made either in point of regiſtry or payment, contrary to the true meaning of this act, by any ſuch officer or officers, then the party offending ſhall be liable by action of debt, or on the caſe, to pay the value of the debt, with full coſts of ſuit, to the party grieved, and ſhall be forejudged of his place or office; and if any ſuch preference be unduly made by any his deputy or clerk, without direction or privity of his maſter, then ſuch deputy or clerk only ſhall be liable to ſuch action, debt, damages, and coſt, and ſhall be for ever after incapable of his office or place; and in caſe the auditor of the receipt ſhall not direct the ſaid orders of loan, or the clerk of the pells record, or the teller make payment upon ſuch orders, according to each perſon's due place and order, as before directed; then he or they ſhall be adjudged to forfeit, and the reſpective deputies and clerks, therein offending,

Orders to be regiſtered, and paid in courſe.

No fee to be paid for regiſtering, &c.

Penalty of undue preference;

ſending, to be liable to ſuch action; debt, damages, and coſts, in ſuch manner as aforeſaid: all which ſaid penalties, forfeitures, damages, and coſts, to be incurred by any the officers of the exchequer, or any their deputies or clerks, ſhall and may be recovered by action of debt, bill, plaint, or information, in any of his Majeſty's courts of record at *Weſtminſter*; wherein no eſſoin, protection, privilege, wager of law, injunction, or order of reſtraint, ſhall be in in any wiſe granted or allowed.

how to be recovered.

V. Provided always, and it is declared, That if it ſhall happen that ſeveral tallies of loan, or orders for payment, as aforeſaid, bear date, or be brought the ſame day to the auditor of the receipt to be regiſtered, then it ſhall be interpreted no undue preference, which of thoſe be entered firſt, ſo as he enters them all the ſame day.

It ſhall be deemed no undue preference, where tallies are dated, or brought the ſame day:

VI. Provided alſo, That it ſhall not be interpreted any undue preference, to incur any penalty in point of payment, if the auditor direct, and the clerk of the pells record, and the tellers do pay ſubſequent orders to perſons that come and demand their monies, and bring their orders, before other perſons that did not come to take their monies, and bring their orders in courſe; ſo as there be ſo much money reſerved as will ſatisfy precedent orders; which ſhall not be otherwiſe diſpoſed of, but kept for them; intereſt upon loarn being to ceaſe from the time the money is ſo reſerved and kept in bank for them.

Nor if ſubſequent orders be paid before ſuch as were not demanded in courſe.

VII. And be it further enacted, That all and every perſon and perſons to whom any money ſhall be due, for loans to be regiſtered by virtue of this act, after order entered in the book of regiſter as aforeſaid, his, her, or their executors, adminiſtrators, or aſſigns, by proper words of aſſignment to be indorſed and written upon his, her, or their order, may aſſign and transfer his, her, or their right, title, intereſt, and benefit, of ſuch order, to any other; which being notified in the office of the auditor of the receipt aforeſaid, and an entry or memorial thereof alſo made in the book of regiſter aforeſaid for orders (which the officers ſhall upon requeſt, without fee or charge, accordingly make) ſhall intitle ſuch aſſignee, his, her, or their executors, adminiſtrators, ſucceſſors, and aſſigns, to the benefit thereof, and payment thereon; and ſuch aſſignee may, in like manner, aſſign again, and ſo *toties quoties*; and afterwards it ſhall not be in the power of ſuch perſon or perſons who have or hath made ſuch aſſignment, to make void, releaſe, or diſcharge the ſame, or any monies thereby due, or any part thereof.

Orders aſſignable toties quoties.

VIII. *And to the end there may be no want or failure of a certain ſum, not to exceed in the whole the ſaid ſum of one million nine thouſand two hundred ſeventeen pounds, two ſhillings, and eight pence-half-penny, to be raiſed, either by ſuch loans as aforeſaid, or by iſſueing exchequer bills, as is herein after-mentioned, or by both or either of thoſe ways or means, for the public ſervice*; be it further enacted by the authority aforeſaid, That in caſe the commiſſioners of his Majeſty's treaſury, or any three or more of them now being, or the high treaſurer, or any three or more of the commiſſioners of

Commiſſioners of the treaſury, if they ſhall think it more adviſeable to raiſe the ſaid ſum, or any part thereof, by exchequer bills, they

may make out any number of new exchequer bills for the ſame,

of the treaſury for the time being, ſhall judge it more adviſeable to raiſe the ſaid ſum of one million nine thouſand two hundred ſeventeen pounds, two ſhillings, and eight pence halfpenny, or any part thereof, by exchequer bills, inſtead of ſuch loans as aforeſaid, that then they reſpectively are hereby authorized and impowered, at any time or times, to prepare and make, or cauſe to be prepared and made, at the exchequer, any number of new exchequer bills, for any ſum or ſums of money, not exceeding in the whole the ſaid ſum of one million nine thouſand two hundred ſeventeen pounds, two ſhillings, and eight pence halfpenny, together with ſuch loans aforeſaid, in the ſame or like manner, form, or order, and according to the ſame or like rules and directions, as in and by a certain act of this preſent ſeſſion of parliament, intituled, "*An act for granting an aid to his Majeſty by a "land tax, to be raiſed in* Great Britain, *for the ſervice of the year "one thouſand ſeven hundred and ſixty two*," are enacted and preſcribed, concerning the exchequer bills to be made in purſuance of the ſaid act.

in like manner and form as is preſcribed by the land tax of this ſeſſion.

Clauſes, &c. in the ſaid act relating to exchequer bills, extended to thoſe to be made out in purſuance of this act.

IX. And be it further enacted by the authority aforeſaid, That all and every the clauſes, proviſoes, powers, privileges, advantages, penalties, forfeitures, and diſabilities, contained in the ſaid laſt-mentioned act, relating to the loans or exchequer bills, authorized to be made by the ſame act (except ſuch clauſes as do charge the ſame on the taxes granted by the ſame act, and except ſuch clauſes as limit the rate of intereſt to be paid for the forbearance of money lent on the credit of the ſaid act) ſhall be applied and extended to the exchequer bills to be paid in purſuance of this act, as fully and effectually to all intents and purpoſes as if the ſaid exchequer bills had been originally authorized by the ſaid laſt-mentioned act, or as if the ſaid ſeveral clauſes or proviſoes had been particularly repeated and re-enacted in the body of this preſent act.

The ſaid bills, intereſt, premium and charges, charged upon, and payable out of the ſinking fund.

X. And be it enacted by the authority aforeſaid, That all the exchequer bills as ſhall be made in purſuance of this act, and the intereſt, premium, rate, and charges incident to, or attending the ſame, ſhall be, and are hereby charged and chargeable upon, and ſhall be repaid and borne by and out of the growing produce of the ſaid ſurpluſſes, exceſſes, and overplus monies, or other revenues compoſing the ſinking fund (except ſuch monies of the ſaid ſinking fund, as are appropriated to any particular uſe or uſes by any former or other act or acts of parliament in that behalf) and ſuch monies of the ſaid ſinking fund ſhall and may be iſſued and applied as ſoon as the ſame can be regularly ſtated and aſcertained, for and towards the paying off, cancelling, and diſcharging ſuch exchequer bills, intereſt, premium, rate, or charges, until the whole of them ſhall be paid off, cancelled, and diſcharged, or money ſufficient for that purpoſe be kept and reſerved in the exchequer, to be payable on demand to the reſpective proprietors thereof.

The bank impowered to

XI. And be it declared and further enacted by the authority aforeſaid, That it ſhall and may be lawful for the governor and company

company of the bank of *England*, to advance or lend to his Majeſty in like manner at the receipt of the exchequer, upon the credit of loan granted by this act, any ſum or ſums of money, not exceeding in the whole the ſum of one million nine thouſand two hundred ſeventeen pounds, two ſhillings, and eight pence halfpenny; any thing in an act made in the fifth and ſixth years of the reign of King *William* and Queen *Mary*, intituled, "*An act for granting to their Majeſtys ſeveral rates and duties upon* "*tonnage of ſhips and veſſels, and upon beer, ale, and other liquors,* "*for ſecuring certain recompences and advantages in the ſaid act men-* "*tioned, to ſuch perſons as ſhall voluntarily advance the ſum of one mi-* "*lion five hundred thouſand pounds, towards carrying on the war* "*againſt* France," to the contrary thereof in any wiſe notwithſtanding.

advance on the ſaid credit of loan, any ſum or ſums not exceeding 1,009,217l. 2s. 8d. 2q. the act 5 and 6 Will. and Mary notwithſtanding.

XII. *And whereas the commons of* Great Britain *in parliament aſſembled did, in the laſt ſeſſion of parliament, unanimouſly by an humble addreſs to his Majeſty, humbly beſeech his Majeſty, that he would be graciouſly pleaſed to confer ſome ſignal mark of his royal favour upon the right honourable* Arthur Onſlow *eſquire, then ſpeaker of the houſe of commons, for his great and eminent ſervices performed to his country, for the ſpace of thirty three years and upwards, during which he had with ſuch diſtinguiſhed ability and integrity preſided in the chair of that houſe, and aſſured his Majeſty that whatever expence his Majeſty ſhould think proper to be incurred on that account, the ſaid houſe would make good the ſame to his Majeſty: and whereas his Majeſty, in his anſwer to the ſaid addreſs, was graciouſly pleaſed to declare, That he had the juſteſt ſenſe of the long ſervices and great merit of Mr.* Onſlow, *and that his Majeſty had already taken the ſame into his conſideration, and that he would do therein what ſhould appear to his Majeſty to be moſt proper, agreeably to the deſire of his faithful commons: and whereas by letters patent under the great ſeal of* Great Britain, *bearing date the twentieth day of* April, *in the firſt year of his Majeſty's reign, his Majeſty, in gracious compliance with the deſire of the houſe of commons, expreſſed in the ſaid addreſs, did give and grant unto the ſaid* Arthur Onſlow, *in conſideration of his great and eminent ſervices performed to his country as aforeſaid, and as a ſignal mark of his Majeſty's royal favour, an annuity, or yearly ſum of three thouſand pounds, to be iſſuing and payable out of, and charged and chargeable upon, the reſpective monies and revenues therein after mentioned, to be held, received, and enjoyed, by the ſaid* Arthur Onſlow, *his executors, adminiſtrators, or aſſigns, for and during the natural lives of him the ſaid* Arthur Onſlow, *and of his ſon* George Onſlow *eſquire, and for and during the natural life of the longer liver of them; and to direct that the ſaid annuity, or yearly ſum of three thouſand pounds, for ſo long time as his Majeſty ſhould continue in life, ſhould be charged upon and paid out of any monies which from time to time, ſhould be in the receipt of the exchequer, applicable to the uſes of his Majeſty's civil government, and that the ſaid annuity or yearly ſum ſhould commence from the day of the date of the ſaid letters patent: and whereas by virtue and in purſuance of the ſaid letters patent, ſeveral payments have been made out of the monies applicable as aforeſaid, to the ſaid* Arthur Onſlow, *amounting in the whole to the*

ſum

ſum of two thouſand one hundred and thirty four pounds, twelve ſhillings, and three pence halfpenny: and whereas his Majeſty has been graciouſly pleaſed to ſignify to his parliament, that it not having been in his Majeſty's power to extend the effect of the ſaid grant beyond the term of his own life, his Majeſty recommends it to his parliament to conſider of a proper method of extending and ſecuring the ſame, in the moſt effectual manner, for the benefit of the ſaid Arthur Onſlow: *now we, your Majeſty's moſt dutiful and loyal ſubjects, the commons of* Great Britain *in this preſent parliament aſſembled, being deſirous to make good to your Majeſty ſuch expences as have been, and to provide for ſuch as might be, incurred by your Majeſty in conſequence of the ſaid grant, and to ſettle and ſecure, in the moſt beneficial manner, for the uſe of the ſaid* Arthur Onſlow, *the yearly ſum of three thouſand pounds, for and during the term herein after mentioned, agreeably to your Majeſty's moſt gracious intentions, and as a teſtimony of the grateful and affectionate remembrance which your Majeſty's faithful commons retain of the long continued and eminent ſervices of the ſaid* Arthur Onſlow, *do therefore moſt humbly beſeech your Majeſty, that it may be enacted;* *and* be it enacted by the authority aforeſaid, That &c, &c,

2134*l.* 12s. 3d. 2q. to be iſſued out of the aggregate fund, to make good the like ſum paid to *Arthur Onſlow* eſquire, on account of the annuity granted him by his Majeſty, in purſuance of the addreſs of the houſe of commons. —— The ſaid annuity charged, and payable for the future out of the aggregate fund; to commence on 5th *Jan.* 1762, and to be paid quarterly at the exchequer, *viz.* on 5th *April*, 5th *July*, 10th *Oct.* and 5th *Jan.* Annuity granted by patent to ceaſe. —— Treaſury impowered to direct the auditor of the exchequer to make forth, &c. debentures for the ſaid annuity as it ſhall become due without fee; the money to be paid thereupon, without further warrant. —— Warrant, after being aſſigned, is not determinable nor revokable by the demiſe of his Majeſty; or the death or removal of any officer of the treaſury. —— Officers of the treaſury to do all acts neceſſary to render the ſaid payment effectual without fee. —— The receipt of Mr. *Onſlow*, his executors, or aſſigns, &c. to be a ſufficient diſcharge for ſuch payment; and the ſaid annuity to be free of all taxes. —— Officers of the exchequer neglecting or refuſing to pay the ſaid annuity, or to do any act neceſſary thereto, may be ſued.

CAP. XXXIV.

An act for enabling his Majeſty to raiſe the ſum of one million for the uſes and purpoſes therein mentioned; and for further appropriating the ſupplies granted in this ſeſſion of parliament; and for allowing time for the payment of the ſtamp duties omitted to be paid upon admiſſions into corporations or companies, and appointments to offices therein; and for the relief of William Earle, *in reſpect of a quantity of white ſalt, loſt by the wreck of a ſhip near the harbour of* Dublin.

Moſt Gracious Sovereign,

Preamble. WE *your Majeſty's moſt dutiful and loyal ſubjects, the commons of* Great Britain *in parliament aſſembled, having taken into our ſerious conſideration your Majeſty's moſt gracious meſſage, ſignifying, That your Majeſty, relying on the known zeal and affection of your*

your faithful commons, and conſidering that in this conjuncture emergencies may ariſe, which may be of the utmoſt importance, and be attended with the moſt pernicious conſequences, if proper means ſhould not immediately be applied to prevent or defeat them; and that your Majeſty alſo, taking into your moſt ſerious conſideration the imminent danger with which the kingdom of Portugal, *an ancient and natural ally of your crown, is threatened by the powers now in open war with your Majeſty, and of what importance the preſervation of that kingdom is to the commercial intereſts of this country, is deſirous, that we will enable your Majeſty to defray any extraordinary expences of the war incurred, or to be incurred, for the ſervice of the year one thouſand ſeven hundred and ſixty two; and to take all ſuch meaſures as may be neceſſary to diſappoint or defeat any enterprizes or deſigns of your enemies againſt your Majeſty or your allies, and as the exigency of affairs may require, have reſolved to give and grant to your Majeſty the ſum of one million for that purpoſe; and do therefore moſt humbly beſeech your Majeſty that it may be enacted*; and be it enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That it ſhall and may be lawful to and for the King's moſt excellent Majeſty, by warrant or warrants under his royal ſign manual, to authorize and impower the commiſſioners of his Majeſty's treaſury now, or for the time being, or any three or more of them, or the lord high treaſurer for the time being, at any time or times before the fifth day of *January*, one thouſand ſeven hundred and ſixty three, to cauſe or direct any loans to be taken or received at his Majeſty's exchequer from any perſon or perſons, natives or foreigners, body or bodies politick or corporate, or any number of exchequer bills to be made out there, for any ſum or ſums of money, not exceeding, in loans and exchequer bills together, in the whole, the ſaid ſum of one million, in the ſame or like manner, form, and order, and according to the ſame or like rules and directions, as in and by an act of this preſent ſeſſion of parliament, intituled, *An act for granting an aid to his Majeſty by a land tax to be raiſed in* Great Britain *for the ſervice of the year one thouſand ſeven hundred and ſixty two*, are enacted and preſcribed concerning the loans or exchequer bills to be taken or made in purſuance of the ſaid act.

Credit of loan granted to his Majeſty for 1,000,000 l.

Treaſury may raiſe the ſame by loans or exchequer bills,

in like manner as is preſcribed by the land tax act of this ſeſſion, concerning loans or exchequer bills thereby to be made out.

II. And be it further enacted by the authority aforeſaid, That all and every the clauſes, proviſoes, powers, privileges, advantages, penalties, forfeitures, and diſabilities contained in the ſaid laſt mentioned act relating to the loans or exchequer bills authorized to be made by the ſame act (except ſuch clauſes as do charge the ſame on the taxes granted by the ſame act, and except ſuch clauſes as limit the rate of intereſt to be paid for the forbearance of money lent on the credit of the ſaid act) ſhall be applied and extended to the loans and exchequer bills to be made in purſuance of this act, as fully and effectually, to all intents and purpoſes, as if the ſame loans or exchequer bills had been originally

The clauſes, &c. in the ſaid act relating to the loans or exchequer bills thereby to be made out,

extended to this act.

nally authorized by the ſaid laſt mentioned act, or as if the ſaid ſeveral clauſes or proviſoes had been particularly repeated and re-enacted in the body of this act.

The ſame to be repaid out of the firſt ſupplies which ſhall be granted in the next ſeſſion;

III. And be it further enacted by the authority aforeſaid, That all ſuch loans or exchequer bills, together with the intereſt, premium, rate, and charges, incident to or attending the ſame, ſhall be, and are hereby charged and chargeable upon, and ſhall be repaid or borne by or out of the firſt aids or ſupplies which ſhall be granted in the next ſeſſion of parliament; and in caſe ſufficient aids or ſupplies for that purpoſe ſhall not be granted before the fifth day of *July*, one thouſand ſeven hundred and ſixty three, then all the ſaid loans or exchequer bills, with the intereſt, premium, rate, and charges, incident to or attending the ſame, ſhall be, and are hereby charged and chargeable upon ſuch monies as, at any time or times at or after the ſaid fifth day of *July*, one thouſand ſeven hundred and ſixty three, ſhall be or remain in the receipt of the exchequer, of the ſurpluſſes, exceſſes, overplus monies, and other revenues compoſing the fund commonly called *The Sinking Fund* (except ſuch monies of the ſaid ſinking fund as are appropriated to any particular uſe or uſes by any act or acts of parliament in that behalf) and ſuch monies of the ſaid ſinking fund ſhall and may be iſſued and applied, as ſoon as the ſame can be regularly ſtated and aſcertained, for and towards paying off, cancelling, and diſcharging, ſuch loans or exchequer bills, intereſt, premium, rate, or charges, until the whole of them ſhall be paid off, cancelled, and diſcharged, or money ſufficient for that purpoſe be kept and reſerved in the exchequer, to be payable on demand to the reſpective proprietors thereof.

or out of the ſinking fund, if no ſupplies ſhall be granted before 5 July, 1763.

Monies iſſued for that purpoſe out of the ſinking fund, to be replaced.

IV. Provided always, and be it enacted by the authority aforeſaid, That whatever monies ſhall be ſo iſſued out of the ſaid ſurpluſſes, exceſſes, overplus monies, or other revenues compoſing the ſinking fund, ſhall, from time to time, be replaced by and out of the firſt ſupplies to be then after granted in parliament; any thing herein contained to the contrary notwithſtanding.

The bank impowered to advance, on the ſaid credit of loan, any ſum or ſums not exceeding 1,000,000 l.

the act 5 & 6 W. & M. notwithſtanding.

V. And be it declared and further enacted by the authority aforeſaid, That it ſhall and may be lawful for the governor and company of the bank of *England*, to advance or lend to his Majeſty in like manner at the receipt of the exchequer, upon the credit of the loan granted by this act, any ſum or ſums of money not exceeding in the whole the ſum of one million; any thing in an act made in the fifth and ſixth years of the reign of King *William* and Queen *Mary*, intituled, *An act for granting to their Majeſties ſeveral rates and duties upon tonnage of ſhips and veſſels, and upon beer, ale, and other liquors, for ſecuring certain recompences and advantages in the ſaid act mentioned, to ſuch perſons as ſhall voluntarily advance the ſum of one million five hundred thouſand pounds, towards carrying on the war againſt* France, to the contrary thereof in any wiſe notwithſtanding.

VI. Pro-

VI. Provided always, and it is hereby enacted by the authority aforeſaid, That all the monies coming into the exchequer, either by loans or exchequer bills, upon one act of this ſeſſion of parliament, intituled, *An act for granting an aid to his Majeſty by a land tax to be raiſed in* Great Britain, *for the ſervice of the year one thouſand ſeven hundred and ſixty two*; and ſo much money, if any ſuch be, of the tax thereby granted, as ſhall ariſe or remain after all the loans or exchequer bills made or to be made on the ſame act, and all the intereſt, premium, rate, and charges thereon, and the charges allowable thereby for raiſing the ſaid land tax, ſhould be ſatisfied, or money ſufficient ſhall be reſerved in the exchequer to ſatisfy and diſcharge the ſame; and alſo all the monies coming into the exchequer, either by loans or exchequer bills, upon one other act of this ſeſſion of parliament, intituled, *An act for continuing and granting to his Majeſty certain duties upon malt, mum, cyder, and perry, for the ſervice of the year one thouſand ſeven hundred and ſixty two*, and ſo much money, if any ſuch be, of the duties thereby granted, as ſhall ariſe or remain after all the loans or exchequer bills made or to be made on the ſame act, and all the intereſt, premium, rate, and charges thereon, and the charges thereby allowable for raiſing the ſaid duties, ſhall be ſatisfied, or money ſufficient ſhall be reſerved in the exchequer to ſatisfy and diſcharge the ſame; and alſo all the monies coming into the exchequer by contributions for annuities, granted by one other act of this ſeſſion of parliament, intituled, *An act for raiſing by annuities, in manner therein mentioned, the ſum of twelve millions, to be charged on the ſinking fund; and for applying the ſurplus of certain duties on ſpirituous liquors, and alſo the monies ariſing from the duties on ſpirituous liquors, granted by an act of this ſeſſion of parliament*; and alſo the ſum of one million nine thouſand two hundred ſeventeen pounds, two ſhillings, and eight pence halfpenny, out of ſuch monies as ſhall or may ariſe of the ſurpluſſes, exceſſes, or overplus monies, and other revenues compoſing the fund commonly called *The Sinking Fund*, directed to be iſſued and applied by one other act of this ſeſſion of parliament, intituled, *An act for granting to his Majeſty a certain ſum of money out of the ſinking fund, and for applying certain monies remaining in the exchequer, for the ſervice of the year one thouſand ſeven hundred and ſixty two; and for ſettling and ſecuring a certain annuity for the uſe of the right honourable* Arthur Onſlow, *ſpeaker of the houſe of commons in the laſt five parliaments*; and alſo the ſum of one hundred and fifteen thouſand pounds, granted by an act made in the ſecond year of his late Majeſty's reign, upon account of arrears of his late Majeſty's civil liſt revenues, and now by his Majeſty's direction replaced and refunded out of the arrears of the ſaid revenues, which were ſtanding out at the time of his late Majeſty's demiſe; and alſo the ſum of twenty thouſand pounds, remaining in the receipt of the exchequer, being part of the ſum of one hundred thouſand pounds, granted to his late Majeſty in the year one thouſand ſeven hundred and fifty eight, upon account, towards defraying the

The monies ariſing by the land tax,

Malt act,

Annuity act,

with the ſum of 1,009,217 l. 2 s. 8 d. 2 q. charged on the ſinking fund;

alſo the ſum of 115,000 l. replaced out of the arrears of the civil liſt of 2 Geo. II.

with 20,000 l. remaining unapplied in the exchequer, of the money granted in 1758, towards

pay and cloathing of the militia;

the charge of pay and cloathing for the militia for the year one thouſand ſeven hundred and fifty eight, and for defraying ſuch expences as were actually incurred upon the account of the militia, in the year one thouſand ſeven hundred and fifty ſeven;

and 80,000 l. remaining unapplied of the money granted in 1760, towards pay and cloathing of the unembodied militia;

and alſo the ſum of eighty thouſand pounds remaining in the receipt of the exchequer, which was granted to his late Majeſty, in the year one thouſand ſeven hundred and ſixty, upon account, towards defraying the charge of pay and cloathing for the unembodied militia for the year ended the twenty fifth day of *March*, one thouſand ſeven hundred and ſixty one; and alſo the ſum of ſeventy thouſand pounds remaining in the receipt of the exchequer, which was granted to his Majeſty in the laſt ſeſſion of parliament, upon account, towards defraying the charge of the pay of the militia of that part of *Great Britain* called *England*, when unembodied, and of the cloathing of the part of the ſaid militia then unembodied, for one year, beginning the twenty fifth day of *March*, one thouſand ſeven hundred and ſixty one;

and 70,000 l. remaining unapplied of the money granted the laſt ſeſſion for the ſame purpoſes;

and alſo the ſum of ſeventy three thouſand ſix hundred and ſeventy eight pounds, remaining in the receipt of the exchequer, being the ſurplus of the ſeveral duties on malt, eſtabliſhed by an act made in the thirty third year of the reign of his late Majeſty for paying annuities, granted in the year one thouſand ſeven hundred and ſixty, after ſatisfying all charges and incumbrances thereupon, to the fifth day of *January*, one thouſand ſeven hundred and ſixty two, by the ſaid laſt mentioned act, made in this ſeſſion of parliament, directed to be iſſued and applied;

and 73,678 l. ſurplus of the duties on malt, to 5 Jan. 1762;

and the ſum of 1,000,000 l. granted by this act, are appropriated as follows;

and the further ſum of one million by this act granted, ſhall be further appropriated, and are hereby appropriated, for and towards the ſeveral uſes and purpoſes herein after expreſſed; that is to ſay, it is hereby enacted and declared by the authority aforeſaid, That out of all or any the aids or ſupplies provided as aforeſaid, there ſhall and may be iſſued and applied any ſum or ſums of money not exceeding three millions ſix hundred and twelve thouſand two hundred twenty ſix pounds, nine ſhillings, and one penny; for or towards the naval ſervices herein after particularly expreſſed; that is to ſay, for or towards victuals, wages, wear and tear of the navy, and the victualling thereof, performed and to be performed; and for or towards ſea ſervices in the office of ordnance, performed and to be performed; and for or towards defraying the ordinary of his Majeſty's navy, and for half-pay to ſea officers; and for or towards maintaining nineteen thouſand and ſixty one marines; and for or towards the buildings, rebuildings, and repairs, of his Majeſty's ſhips, for the year one thouſand ſeven hundred and ſixty two.

videlicet, 3,612,226 l. 9 s. 1 d. thereof, towards naval ſervices in general;

1,000 l. for compleating the chapel to Haſler hoſpital;

VII. And it is hereby alſo enacted by the authority aforeſaid, That out of all or any the aids or ſupplies aforeſaid, there ſhall and may be iſſued and applied any ſum or ſums of money not exceeding one thouſand pounds, for compleating the chapel ordered to be built for the uſe of the hoſpital for ſick and wounded ſeamen at *Haſler* near *Goſport*, and ſuch other works as may be

afterwards found proper to be performed before the whole work is put out of hand.

VIII. And it is hereby alſo enacted by the authority aforeſaid, That out of all or any the aids or ſupplies aforeſaid, there ſhall and may be iſſued and applied any ſum or ſums of money not exceeding ſix thouſand pounds, for compleating the works of the hoſpital for ſick and wounded ſeamen building near *Plymouth*. 6,000 l. for compleating the works of Plymouth hoſpital,

IX. And it is hereby alſo enacted by the authority aforeſaid, That out of all or any the aids or ſupplies aforeſaid, there ſhall and may be iſſued and applied any ſum or ſums of money not exceeding eight hundred thirty five thouſand twenty five pounds, three ſhillings, and eight pence, for the charge of tranſport ſervice, between the firſt of *October*, one thouſand ſeven hundred and ſixty, and the thirtieth of *September*, one thouſand ſeven hundred and ſixty one, including the expence of victualling his Majeſty's land forces within the ſaid time. 835,025 l. 3s. 8 d. for tranſport ſervice, between 1 Oct. 1760, and 30 Sept. 1761.

X. And it is hereby alſo enacted by the authority aforeſaid, That out of all or any the aids or ſupplies aforeſaid, there ſhall and may be iſſued and applied any ſum or ſums of money not exceeding ſix hundred forty two thouſand nine hundred and ſixteen pounds, two ſhillings, and three pence, for the charge of the office of ordnance for land ſervice, for the year one thouſand ſeven hundred and ſixty two, and for defraying the extraordinary expence of ſervices performed by the office of ordnance for land ſervice, and not provided for by parliament, in one thouſand ſeven hundred and ſixty one. 642,916 l. 2s. 3 d. for charge of the office of ordnance, for land ſervice;

XI. And it is hereby alſo enacted by the authority aforeſaid, That out of all or any the aids or ſupplies aforeſaid, there ſhall and may be iſſued and applied any ſum or ſums of money not exceeding ſeven millions ſix hundred ſeventy ſeven thouſand two hundred and five pounds, thirteen ſhillings, and two pence three farthings, for and towards maintaining his Majeſty's land forces, and other ſervices herein after more particularly expreſſed; that is to ſay, any ſum or ſums of money not exceeding one million ſix hundred twenty nine thouſand three hundred twenty pounds, eighteen ſhillings, and one penny, for defraying the charge of the ſixty ſeven thouſand ſix hundred and ſeventy ſix effective men, including thoſe in *Germany*, and on an expedition, and four thouſand and eight invalids, and including commiſſion and non-commiſſion officers for guards and garriſons, and other his Majeſty's land forces in *Great Britain*, *Guernſey*, and *Jerſey*, for the year one thouſand ſeven hundred and ſixty two; and any ſum or ſums of money not exceeding eight hundred ſeventy three thouſand ſeven hundred and eighty pounds, eighteen ſhillings, and ſeven pence, for maintaining his Majeſty's forces and garriſons in the plantations, *Gibraltar*, *Guadeloupe*, *Africa*, and the *Eaſt Indies*, and for proviſions for the garriſons in *Nova Scotia*, *Newfoundland*, *Gibraltar*, *Providence*, *Quebec*, *Gaudeloupe*, *Senegal*, and *Goree*, for the year one thouſand ſeven hundred and ſixty two; and any ſum or ſums of money not 7,677,205 l. 13s. 2 d. 3q. for pay, &c. of the land forces in general; whereof 1,629,320 l. 18 s. 1 d. 873,780 l. 18 s. 7 d. for the forces and garriſons in the plantations, Guadeloupe, Africa, and the Eaſt Indies, and proviſions for thoſe in garriſon;

23,284l. os.6d. for the 4 regiments on the Iriſh eſtabliſhment ſerving in North America;

not exceeding twenty three thouſand two hundred eighty four pounds, and ſix pence, for defraying the charge of four regiments of foot on the *Iriſh* eſtabliſhment ſerving in *North America*, for the year one thouſand ſeven hundred and ſixty two; and

163,711l. 12s. 6d. for augmentation of the forces;

any ſum or ſums of money not exceeding one hundred ſixty three thouſand ſeven hundred and eleven pounds, twelve ſhillings, and ſix pence, for defraying the charge of an augmentation to his Majeſty's forces, conſiſting of nine thouſand three hundred and ſeventy men, from the twenty fifth day of *December*, one thouſand ſeven hundred and ſixty one, to the twenty fourth day of *December*, one thouſand ſeven hundred and ſixty two, both incluſive; and

72,896l. 14s. 2d. for pay of the general, and general ſtaff officers;

any ſum or ſums of money not exceeding ſeventy two thouſand eight hundred ninety ſix pounds, fourteen ſhillings, and two pence, for the pay of the general, and general ſtaff officers, and officers of the hoſpitals for his Majeſty's land forces, for the year one thouſand ſeven hundred and ſixty two; and

443,952l. 10s. 10d. for charge of embodied militia; and fencible men of Argyleſhire; and lord Sutherland's battalion of Highlanders;

any ſum or ſums of money not exceeding four hundred forty three thouſand nine hundred fifty two pounds, ten ſhillings, and ten pence, for defraying the charge of the embodied militia of the ſeveral counties in *South Britain*, and of the fencible men of *Argyleſhire*, and of lord *Sutherland's* battalion of highlanders in *North Britain*, from the twenty fifth day of *December*, one thouſand ſeven hundred and ſixty one, to the twenty fourth day of *December*, one thouſand ſeven hundred and ſixty two, both incluſive, being three hundred and ſixty five days; and

60,706l. 4s. 1d. for cloathing the embodied militia;

any ſum or ſums of money not exceeding ſixty thouſand ſeven hundred and ſix pounds, four ſhillings, and one penny, upon account, for defraying the charge of cloathing for the embodied militia, for the year one thouſand ſeven hundred and ſixty two; and

20,000l. towards pay and cloathing of the unembodied militia;

any ſum or ſums of money not exceeding twenty thouſand pounds, upon account, towards defraying the charge of the pay of the militia of that part of *Great Britain* called *England*, when unembodied, and of the cloathing of the part of the ſaid militia now unembodied, for one year, beginning the twenty fifth day of *March*, one thouſand ſeven hundred and ſixty two; and

34,383l. to the reduced officers of the land forces and marines;

any ſum or ſums of money not exceeding thirty four thouſand three hundred and eighty three pounds, upon account of the reduced officers of his Majeſty's land forces and marines, for the year one thouſand ſeven hundred and ſixty two; and

2,952l. 13s. 4d. to the officers and private gentlemen of the 2 troops of horſe guards, and regiment of horſe, reduced, &c.

any ſum or ſums of money not exceeding two thouſand nine hundred fifty two pounds, thirteen ſhillings, and four pence, for defraying the charge for allowances to the ſeveral officers and private gentlemen of the two troops of horſe guards, and regiment of horſe, reduced, and to the ſuperannuated gentlemen of the four troops of horſe guards, for the year one thouſand ſeven hundred and ſixty two; and

1,838l. for penſions to officers widows;

any ſum or ſums of money not exceeding one thouſand eight hundred and thirty eight pounds, for the paying of penſions to widows of ſuch reduced officers of his Majeſty's land forces and marines as died upon the eſtabliſhment of half-pay in *Great Britain*, and who were married to them before the twenty fifth day of *December*, one thouſand ſeven

ſeven hundred and ſixteen, for the year one thouſand ſeven hundred and ſixty two; and any ſum or ſums of money not exceeding thirteen thouſand ſeven hundred forty nine pounds, ten ſhillings, and five pence, upon account, for out-penſions of *Chelſea Hoſpital*, for the year one thouſand ſeven hundred and ſixty two; and any ſum or ſums of money not exceeding four hundred ſixty five thouſand ſix hundred thirty eight pounds, ſixteen ſhillings, and two pence three farthings, for defraying the charge of thirty nine thouſand ſeven hundred and ſeventy three men of the troops of *Hanover*, *Wolfenbuttle*, *Saxe Gotha*, and the count of *Buckeburgg*, together with that of general and ſtaff officers, actually employed againſt the common enemy, in concert with the King of *Pruſſia*, from the twenty fifth day of *December*, one thouſand ſeven hundred and ſixty one, to the twenty fourth day of *December*, one thouſand ſeven hundred and ſixty two, both incluſive, to be iſſued in advance, every two months, in like manner as the pay of the *Heſſian* forces now in the ſervice of *Great Britain*, the ſaid body of troops to be muſtered by an *Engliſh* commiſſary, and the effective ſtate thereof to be aſcertained by the ſignature of the commander in chief of the ſaid forces; and any ſum or ſums of money not exceeding two hundred ſixty eight thouſand three hundred and ſixty pounds, eight ſhillings, and eight pence, for defraying the charge of two thouſand one hundred twenty horſe, and nine thouſand nine hundred foot, together with the general and ſtaff officers, the officers of the hoſpital, and officers and others belonging to the train of artillery, the troops of the landgrave of *Heſſe Caſſel*, in the pay of *Great Britain*, for three hundred and ſixty five days, from the twenty fifth day of *December*, one thouſand ſeven hundred and ſixty one, to the twenty fourth day of *December*, one thouſand ſeven hundred and ſixty two, both days incluſive, together with the ſubſidy for the ſaid time, purſuant to treaty; and any ſum or ſums of money not exceeding one hundred forty ſeven thouſand and ſeventy one pounds, five ſhillings, and two pence, for defraying the charge of an additional corps of one thouſand five hundred ſeventy ſix horſe, and eight thouſand eight hundred and eight foot, together with the general and ſtaff officers, the officers of the hoſpital, and officers and others belonging to the train of artillery, the troops of the landgrave of *Heſſe Caſſel*, in the pay of *Great Britain*, for three hundred ſixty five days, from the firſt day of *January*, one thouſand ſeven hundred and ſixty two, to the thirty firſt day of *December* following, both days incluſive, purſuant to treaty; and any ſum or ſums of money not exceeding ſixty eight thouſand and eight pounds, nine ſhillings, and one penny, for defraying the charge of one thouſand four hundred forty four cavalry, and two thouſand three hundred thirty infantry, the troops of the reigning duke of *Brunſwick*, in the pay of *Great Britain*, for three hundred ſixty five days, from the twenty fifth day of *December*, one thouſand ſeven hundred and ſixty one, to the twenty fourth day of *December*, one thouſand ſeven hundred and ſixty two, both

13,749l. 10s 5d. for out-penſions of Chelſea hoſpital;

465,638l. 16s 2d. 3q. for troops of Hanover, Wolfenbuttle, Saxe Gotha, and count Buckeburgg;

to be iſſued, in advance, every 2 months; and the troops to be muſtered by an Engliſh commiſſary, and the return ſigned by the commander in chief;

268,360l. 8s. 8d. for ſubſidy, and troops of the landgrave of Heſſe Caſſel;

147,071l. 5s. 2d. for charge of an additional corps of troops of the landgrave of Heſſe Caſſel;

68,008l. 9s. 1d. for ſubſidy and troops of the duke of Brunſwick;

both days incluſive, together with the ſubſidy for the ſaid time, purſuant to treaties; and any ſum or ſums of money not exceeding twenty five thouſand five hundred and four pounds, ſix ſhillings, and eight pence, for defraying the charge of five battalions ſerving with his Majeſty's army in *Germany*, each battalion conſiſting of one troop of one hundred and one men, and four companies of foot of one hundred and twenty five men in each company, with a corps of artillery, for three hundred and ſixty five days, from the twenty fifth day of *December*, one thouſand ſeven hundred and ſixty one, to the twenty fourth day of *December*, one thouſand ſeven hundred and ſixty two, both days incluſive; and any ſum or ſums of money not exceeding one million three hundred fifty three thouſand ſix hundred ſixty two pounds, four ſhillings, and one penny, for defraying the extraordinary expences of his Majeſty's land forces, and other ſervices incurred, to the twenty fourth day of *November*, one thouſand ſeven hundred and ſixty one, and not provided for by parliament; and any ſum or ſums of money not exceeding one million, upon account, towards defraying the charges of forage, bread, bread waggons, train of artillery, and of proviſions, wood, ſtraw, *et cetera*, and other extraordinary expences and contingencies of his Majeſty's combined army under the command of prince *Ferdinand*; and any ſum or ſums of money not exceeding nine hundred fifty eight thouſand three hundred eighty four pounds, and ten pence, for defraying the extraordinary expences of his Majeſty's land forces, and other ſervices incurred, from the twenty fourth day of *November*, one thouſand ſeven hundred and ſixty one, to the twenty fourth day of *December* following, and not provided for by parliament; and any ſum or ſums of money not exceeding fifty thouſand pounds, on account, towards aſſiſting his Majeſty to grant a reaſonable ſuccour, in money, to the landgrave of *Heſſe Caſſel*, purſuant to treaty.

25,504l. 6s. 8d. for charge of 5 battalions ſerving in Germany;

1,353,662l. 4s. 1d. for extraordinary expences of land forces, and other ſervices in 1761, not provided for;

1,000,000 l. for forage, and other extraordinary expences of the combined army in Germany;

958,384 l. 0s. 10 d. for extraordinary expences of the land forces, &c. to 24 Dec. 1762, not provided for; and 50,000 l. for the landgrave of Heſſe Caſſel, purſuant to treaty;

XII. And it is hereby alſo enacted by the authority aforeſaid, That out of all or any the aids or ſupplies aforeſaid, there ſhall and may be iſſued and applied any ſum or ſums of money not exceeding one million, to enable his Majeſty to diſcharge the like ſum raiſed in purſuance of an act made in the laſt ſeſſion of parliament, and charged upon the firſt aids or ſupplies to be granted in this ſeſſion of parliament.

1,000,000l. to diſcharge the like ſum borrowed purſuant to a vote of credit of the laſt ſeſſion;

XIII. And it is hereby alſo enacted by the authority aforeſaid, That out of all or any the aids or ſupplies aforeſaid, there ſhall and may be iſſued and applied any ſum or ſums of money not exceeding one million five hundred thouſand pounds, to enable his Majeſty to pay off and diſcharge the exchequer bills made out by virtue of an act paſſed in the laſt ſeſſion of parliament, intituled, *An act for enabling his Majeſty to raiſe a certain ſum of money towards paying off and diſcharging the debt of the navy, and towards naval ſervices, for the year one thouſand ſeven hundred and ſixty one; and for allowing further time for making affidavits of the execution*

1,500,000l. for paying off exchequer bills made out by virtue of an act of the laſt ſeſſion;

cution of articles or contracts of clerks to attornies or ſolicitors, and filing thereof, and charged upon the firſt aids or ſupplies to be granted in this ſeſſion of parliament.

XIV. And it is hereby alſo enacted by the authority aforeſaid, That out of all or any the aids or ſupplies aforeſaid, there ſhall and may be iſſued and applied any ſum or ſums of money not exceeding five thouſand ſix hundred eighty four pounds, one ſhilling, and ten pence, upon account, for maintaining and ſupporting the civil eſtabliſhment of his Majeſty's colony of *Nova Scotia*, for the year one thouſand ſeven hundred and ſixty two; and any ſum or ſums of money not exceeding four thouſand and fifty ſeven pounds, and ten ſhillings, upon account, for defraying the charges of the civil eſtabliſhment of his Majeſty's colony of *Georgia*, and other incidental expences attending the ſame, from the twenty fourth of *June*, one thouſand ſeven hundred and ſixty one, to the twenty fourth of *June*, one thouſand ſeven hundred and ſixty two.

5,684l. 1s. 10d. for charges of the civil eſtabliſhment of Nova Scotia;

4,057 l. 10 s. for charges of the civil eſtabliſhment of Georgia;

XV. And it is hereby alſo further enacted by the authority aforeſaid, That out of all or any the aids or ſupplies aforeſaid, there ſhall and may be iſſued and applied any ſum or ſums of money not exceeding one hundred thirty three thouſand three hundred thirty three pounds, ſix ſhillings, and eight pence, upon account, to enable his Majeſty to give a proper compenſation to the reſpective provinces in *North America*, for the expences incurred by them in the levying, cloathing, and pay of the troops raiſed by the ſame, according as the active vigour and ſtrenuous efforts of the reſpective provinces ſhall be thought by his Majeſty to merit; and any ſum or ſums of money not exceeding twenty thouſand pounds, upon account, to be paid to the united company of merchants of *England* trading to the *Eaſt Indies*, towards enabling them to defray the expence of a military force in their ſettlements, to be maintained by them in lieu of the battalion of his Majeſty's forces commanded by lieutenant general *Adlercron*, withdrawn from thence, and now returned to *Ireland*; and any ſum or ſums of money not exceeding fifteen thouſand pounds, to be paid into the chamber of the city of *London*, to be applied towards the improving, widening, and enlarging the paſſage over and through *London Bridge*, without account, other than as is directed for the monies raiſed by an act made in the twenty ninth year of his late Majeſty's reign, intituled, *An act to improve, widen, and enlarge the paſſage over and through* London Bridge; and any ſum or ſums of money not exceeding forty one thouſand ſeven hundred fifty two pounds, and ten ſhillings, upon account, towards enabling the governors and guardians of the hoſpital for the maintenance and education of expoſed and deſerted young children, to maintain and educate ſuch children as were received into the ſaid hoſpital on or before the twenty fifth day of *March*, one thouſand ſeven hundred and ſixty, from the thirty firſt day of *December*, one thouſand ſeven hundred and ſixty one excluſive, to the thirty firſt day of *December*, one thouſand ſeven hundred and ſixty

133,333 l. 6 s. 8 d. as a compenſation to the provinces in North America, for expences incurred in levying troops there;

20,000 l. to the Eaſt India company, towards charge of a military force;

15,000 l. for repairing, &c. London Bridge;

41,752 l. 10 s. to the foundling hoſpital; to be iſſued without fee;

ſixty two incluſive; and that the ſaid ſum be iſſued and paid for the uſe of the ſaid hoſpital without fee or reward, or any deduction whatſoever; and any ſum or ſums of money not exceeding thirteen thouſand pounds, to be employed in maintaining and ſupporting the fort at *Annamaboe*, and other the *Britiſh* forts and ſettlements upon the coaſt of *Africa*; and any ſum or ſums of money not exceeding two thouſand pounds, towards enabling the truſtees of the *Britiſh Muſæum* to carry on the execution of the truſt repoſed in them by parliament; and any ſum or ſums of money not exceeding four thouſand pounds, towards enabling the commiſſioners appointed by an act paſſed in the thirty third year of the reign of his late Majeſty, intituled, *An act for repairing and widening the roads from* Deanburn Bridge, *through* Greenlaw, *and part of* Jedburgh *road, by* Lauder *in the ſhire of* Berwick *to* Cornhill *in the county of* Durham, *and for building a bridge over the* Tweed *near* Coldſtream, to build the ſaid bridge, and to defray ſuch other expences as may be found neceſſary in relation thereto: and any ſum or ſums of money not exceeeding ten thouſand five hundred and forty pounds, to replace to the ſinking fund the like ſum paid out of the ſame, to make good the deficiency on the fifth day of *July*, one thouſand ſeven hundred and ſixty one, of the ſeveral duties on malt granted by an act *Triceſimo tertio Georgii ſecundi*, to anſwer annuities after the rate of four pounds *per centum*, charged thereupon; and any ſum or ſums of money not exceeding fifty two thouſand three hundred ninety three pounds, ſixteen ſhillings, and nine pence halfpenny, to replace to the ſinking fund the like ſum paid out of the ſame, to make good the deficiency on the fifth day of *July*, one thouſand ſeven hundred and ſixty one, of the ſeveral rates and duties upon offices and penſions, and upon houſes, and upon windows or lights, which were made a fund by an act *Triceſimo primo Georgii ſecundi*, for paying annuities at the bank of *England*, in reſpect of five millions borrowed towards the ſupply granted for the ſervice of the year one thouſand ſeven hundred and fifty eight; and any ſum or ſums of money not exceeding one hundred and three thouſand nine hundred and ſix pounds, to replace to the ſinking fund the like ſum paid out of the ſame, to make good the deficiency on the fifth day of *July*, one thouſand ſeven hundred and ſixty one, of the additional duty upon ſtrong beer and ale, to anſwer and pay the ſeveral annuities of three pounds *per centum*, and one pound two ſhillings and ſix pence *per centum*, on eleven millions four hundred thouſand pounds, part of twelve millions borrowed towards the ſupply granted to his Majeſty by an act *Primo Georgii tertii*, for the ſervice of the year one thouſand ſeven hundred and ſixty one; and any ſum or ſums of money not exceeding one hundred and twelve thouſand ſix hundred and thirteen pounds, five ſhillings, and five pence farthing, to make good the deficiency of the grants for the ſervice of the year one thouſand ſeven hundred and ſixty one; and any ſum or ſums of money not exceeding one thouſand five hundred pounds, to make

13,000 l. for ſupporting the forts and ſettlements in Africa;

2000 l to the truſtees of the Britiſh Muſæum;

4000 l. for building a bridge over the Tweed near Coldſtream;

10,540 l. to make good the deficiency on 5 July, 1761, of the duties on malt granted by act 33 Geo. II.

52,393 l. 16 s. 9 d. 2 q to make good the deficiency on 5 July, 1761, of the duties on places and penſions, and upon houſes and windows;

103,906 l. to make good the deficiency on 5 July, 1761, of the additional duty on ſtrong beer and ale;

112,613 l. 5 s. 5 d. 1 q. to make good the deficiency of the grants for the year 1761;

make good the like ſum iſſued, purſuant to an addreſs of the houſe of commons, by his Majeſty to *Jeremiah Dyſon*, eſquire, towards defraying the expence of printing the journals of the houſe of commons from the beginning of the ninth parliament of *Great Britain* to the end of the laſt ſeſſion of parliament, and alſo towards defraying the expence of making and printing indexes to the ſecond, third, fourth, fifth, ſixth, and ſeventh volumes of the journals of the houſe of commons which have been already printed.

1500l. to make good the like ſum iſſued, purſuant to addreſs, to Jeremiah Dyſon, eſq; towards the expence of printing the journals of the houſe of commons;

XVI. And it is hereby alſo enacted by the authority aforeſaid, That out of all or any the aids or ſupplies provided as aforeſaid, there ſhall and may be iſſued and applied any ſum or ſums of money not exceeding one million, upon account, to enable his Majeſty to defray any extraordinary expences of the war incurred, or to be incurred, for the ſervice of the year one thouſand ſeven hundred and ſixty two, and to aſſiſt the kingdom of *Portugal* an ancient and natural ally of his Majeſty's crown, and to take all ſuch meaſures as may be neceſſary to diſappoint and defeat any enterprizes or deſigns of his enemies, againſt his Majeſty, or his allies, and as the exigency of affairs may require.

and 1,000,000 l. upon account, to defray any extraordinary expences of the war, for the year 1762, and to aſſiſt the kingdom of Portugal.

XVII. And it is hereby further enacted by the authority aforeſaid, That the ſaid aids and ſupplies provided as aforeſaid, ſhall not be iſſued or applied to any uſe, intent, or purpoſe whatſoever, other than the uſes and purpoſes before-mentioned, or for the ſeveral deficiencies or other payments directed to be ſatisfied thereout by any act or acts, or any particular clauſe or clauſes for that purpoſe contained in any other act or acts of this preſent ſeſſion of parliament.

Theſe aids to be applied to no other uſes.

XVIII. And, as to the ſaid ſum of thirty four thouſand three hundred and eighty three pounds, by this act appropriated, on account of half-pay as aforeſaid, it is hereby enacted and declared by the authority aforeſaid, That the rules herein after preſcribed, ſhall be duly obſerved in the application of the ſaid half-pay; that is to ſay, That no perſon ſhall have or receive any part of the ſame, who was a minor, and under the age of ſixteen years at the time when the regiment, troop, or company, in which he ſerved, was reduced; that no perſon ſhall have or receive any part of the ſame, except ſuch perſon who did actual ſervice in ſome regiment, troop, or company; that no perſon having any other place or employment of profit, civil or military, under his Majeſty, ſhall have or receive any part of the ſaid half-pay; that no chaplain of any garriſon or regiment, who has any eccleſiaſtical benefice in *Great Britain* or *Ireland*, ſhall have or receive any part of the ſaid half-pay; that no perſon ſhall have or receive any part of the ſame, who has reſigned his commiſſion, and has had no commiſſion ſince; that no par of the ſame ſhall be allowed to any perſon by virtue of any warrant or appointment, except to ſuch perſons as would have been otherwiſe intitled to the ſame as reduced officers; and that no

Rules to be obſerved in the application of the half-pay.

part of the ſame ſhall be allowed to any of the officers of the five regiments of dragoons, and eight regiments of foot, lately diſbanded in *Ireland*, except to ſuch as were lately taken off the eſtabliſhment of half-pay in *Great Britain*.

Clauſe in the act of 1 Geo. II.

XIX. *And whereas by an act of parliament made and paſſed in the firſt year of his preſent Majeſty's reign, intituled, "An act for enabling his Majeſty to raiſe the ſum of one million, for the uſes and purpoſes therein mentioned; and for further appropriating the ſupplies granted in this ſeſſion of parliament; and for exempting any annuities or ſums of money granted, or to be granted, to the royal family from payment of taxes;" the ſeveral ſupplies which had been granted to his preſent Majeſty, as is therein mentioned, were appropriated to the ſeveral uſes and purpoſes therein expreſſed; amongſt which, any ſum or ſums not exceeding thirty four thouſand eight hundred fifty four pounds, nine ſhillings, and two pence, was appropriated to be paid to the reduced officers of his Majeſty's land forces and marines, ſubject nevertheleſs to ſuch rules to be obſerved in the application of the ſaid half-pay, as in and by the aforeſaid act were preſcribed in that behalf:* now it is hereby provided, enacted, and declared by the authority aforeſaid, That ſo much of the ſaid ſum of thirty four thouſand eight hundred fifty four pounds, nine ſhillings, and two pence, as is or ſhall be more than ſufficient to ſatisfy the ſaid reduced officers, according to the rules preſcribed by the ſaid act to be obſerved in the application thereof, or any part of ſuch overplus, ſhall and may be diſpoſed of to ſuch officers who are maimed, or have loſt their limbs in the late wars, or ſuch others as by reaſon of their long ſervice, or otherwiſe, his Majeſty ſhall judge to be proper objects of charity, or to the widows or children of ſuch officers, according to ſuch warrant or warrants, under his Majeſty's royal ſign manual, as ſhall be ſigned in that behalf; any thing in this act or the ſaid former act to the contrary notwithſtanding.

Application of the ſavings of the ſum of 34,854 l. 9 s. 2 d. granted laſt ſeſſion towards half-pay.

XX. *And whereas divers admiſſions of perſons into corporations and companies, and admiſſions or appointments to offices in corporations and companies, within the kingdom of* England, *dominion of* Wales, *and town of* Berwick upon Tweed, *have, through the miſtake, inadvertency, or neglect, of the officers of ſuch corporations and companies, been omitted to be ſtamped, as by ſeveral acts of parliament is required, whereby the titles to the reſpective franchiſes and offices of the perſons or officers ſo admitted or appointed may be drawn into diſpute;* be it therefore enacted by the authority aforeſaid, That upon the payment at any time before the laſt day of *Michaelmas* term, one thouſand ſeven hundred and ſixty two, of the duties impoſed by law upon, for, or in reſpect of ſuch admiſſions or appointments, unto the perſon or perſons authorized to receive ſuch duties, and the rendering ſuch admiſſions or appointments to the proper officers, in order that the duties may be impreſſed thereon, ſuch admiſſions and appointments, and all acts done or to be done in conſequence thereof, ſhall be as valid and effectual to all intents and purpoſes, as if ſuch admiſſions and appointments had been ſtamped, and the duties paid, previous to, or at the time

Further time allowed for payment of the duties upon admiſſions and appointments of perſons to franchiſes and offices.

time of ſuch admiſſions or appointments, and in ſuch manner and form as is directed, appointed, and required, by the ſeveral acts of parliament relating to the ſaid duties; and the reſpective officers of ſuch corporations and companies, and other perſons, ſhall, from the time of the payment of ſuch duties reſpectively, and the tender of ſuch admiſſions and appointments for the duties to be impoſed thereon, be and are hereby freed, exonerated, and diſcharged, from all penalties impoſed by the ſaid acts, for or in reſpect of the omiſſion in the ſtamping of, and payment of the duties charged upon ſuch reſpective admiſſions and appointments, within the time and in the manner directed and required by the ſaid acts, and the commiſſioners for the time being appointed to manage the duties payable to his Majeſty, his heirs, and ſucceſſors, and charged on ſtamped vellum, parchment, and paper, and their proper officers and ſervants are hereby required and injoined to receive ſuch duties, and to cauſe the admiſſions or appointments ſo tendered, to be impreſſed or ſtamped with the proper mark or marks, ſtamp or ſtamps, uſed for denoting the payment of the ſaid duties; any thing in the ſaid acts contained to the contrary notwithſtanding.

Clauſe for relief of W. Earl, in reſpect of ſalt loſt going into Dublin harbour.

XXI. *And whereas in the month of* December, *one thouſand ſeven hundred and fifty nine, at* Liverpoole *in the county palatine of* Lancaſter, *there was ſhipped on board the* Drake, James Mackenzie *maſter, by* William Earl *of* Liverpoole *aforeſaid, for the north ſeas, ſeven hundred and twenty buſhels of white ſalt, for the duty whereof bond was given by the ſaid* William Earl, Joſeph Carter, *and* James Mackenzie; *and the ſaid veſſel, the* Drake, *going into the harbour of* Dublin, *was wrecked, whereby the ſalt above mentioned was loſt and periſhed in the ſea; but the proof of ſuch loſs could not be made within the time limited by law*; be it therefore enacted by the authority aforeſaid, That the bond or bonds given by the ſaid *William Earl, Joſeph Carter*, and *James Mackenzie*, for and in reſpect of the duty of the ſaid ſeven hundred and twenty buſhels of ſalt ſo loſt, ſhall forthwith be delivered up, diſcharged, and vacated, and the ſame is and are hereby diſcharged and vacated accordingly; any act or acts of parliament to the contrary notwithſtanding.

CAP. XXXV.

An act for applying the money granted in this ſeſſion of parliament, towards defraying the charge of the pay of the militia of that part of Great Britain *called* England, *when unembodied, and of the cloathing of the part of the ſaid militia now unembodied, for one year, beginning the twenty fifth day of* March, *one thouſand ſeven hundred and ſixty two.*

Preamble.

WHEREAS *the ſum of twenty thouſand pounds has been granted to his Majeſty, upon account towards defraying the charge of pay and cloathing for the unembodied militia, for one year, from the twenty fifth day of* March, *one thouſand ſeven hundred and ſixty two:*

two: in order therefore that the charge of pay and cloathing for ſuch militia may be duly and properly defrayed and ſatisfied: be it enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame,

Where the militia is or ſhall be raiſed, but not embodied, the receiver general of the county is to iſſue 4 months pay in advance, according to the eſtabliſhment of pay here ſet down;

That in every county, riding, or place within that part of *Great Britain* called *England*, where the militia is or ſhall be raiſed, and is or ſhall not be embodied, the receiver or receivers general of the land tax of ſuch county, riding, or place reſpectively, ſhall, during the time that ſuch militia ſhall continue not embodied, iſſue and pay the whole ſums required in the manner and for the ſeveral uſes herein after-mentioned; that is to ſay, for the pay of the ſaid militia for four calendar months in advance, at the rate of ſix ſhillings a day for each adjutant, where an adjutant is appointed; and at the rate of one ſhilling for each ſerjeant, with the addition of two ſhillings and ſix pence a week for each ſerjeant major, where a ſerjeant major is appointed; and at the rate of ſix pence a day for each drummer, with the addition of ſix pence a day for each drum major, where a drum major is appointed; and alſo at the rate of five pence a month for each private man and drummer, for defraying the contingent expences of each regiment, battalion, or independent company of militia; and alſo for half a year's ſalary for the clerk of each regiment or battalion of militia belonging to ſuch county, riding, or place, at the rate of fifty pounds a year; and alſo for the reſpective allowances to the clerk of the general meetings, and clerks of the ſeveral ſubdiviſion meetings, at the rates following; that is to ſay, to the clerk of the general meetings, at the rate of five pounds five ſhillings for each meeting; and to the ſeveral clerks of the ſubdiviſion meetings, at the rate of one pound one ſhilling for each meeting; and alſo for the cloathing of the militia for ſuch county, riding, or place, after the rate of three pounds ten ſhillings for each ſerjeant, and two pounds for each drummer, with the addition of one pound for each ſerjeant major, and each drum major; and with reſpect to the private militia men where the militia hath not already been cloathed, or hath not been cloathed within three years, at the rate of one pound ten ſhillings for each private man.

with half a year's ſalary to the regimental and battalion clerks; and the allowances to the clerks of the general and ſubdiviſion meetings; and pay for cloathing of the militia.

The above ſums are not to be paid, if pay has not before been iſſued, till the ld. lieut. or deputies ſhall have certified to the treaſury and receivers general the inrolment of three fifths of the men and officers.

II. Provided nevertheleſs, That in any county, riding, or place, where pay has not been yet iſſued for the militia, no ſuch ſum ſhall be iſſued until his Majeſty's lieutenant, or in his abſence, any three deputy lieutenants of any ſuch county, riding, or place, ſhall have certified to the commiſſioners of his Majeſty's treaſury, and to the receiver general of the land Tax, that three fifths of the number of private militia men of ſuch county, riding, or place, have been inrolled; and that three fifths of the proportion of their commiſſion officers have accepted their commiſſions, and entered their qualifications, as by law required.

III. And

III. And be it enacted, That all ſuch ſums of money aforeſaid, except ſuch as ſhall be due to the ſeveral clerks of the meetings aforeſaid, ſhall be paid by the ſaid receiver or receivers general of the land tax, into the hands of the clerk or clerks of the regiments or battalions of militia belonging to ſuch county, riding, or place, upon his or their producing his or their warrant or warrants of appointment to ſuch office, under the hand and ſeal of his Majeſty's lieutenant for ſuch reſpective county, riding, or place; and where the militia ſhall be formed into an independant company, or independant companies, ſuch ſums as aforeſaid ſhall be paid by the ſaid receiver or receivers general of the land tax, into the hands of the reſpective captain of each independent company of militia, or to ſuch perſon as ſuch reſpective captain ſhall authorize to receive the ſame, according to the number of perſons hereby intitled to receive pay and cloathing, of which ſuch regiment or regiments, battalion or battalions, independent company or independent companies, ſhall have been appointed to conſiſt; and ſuch receiver or receivers general of the land tax, ſhall alſo, within fourteen days after the expiration of the third calendar month from the time of the ſaid firſt payment, make a ſecond payment for four calendar months in advance; and ſhall alſo, within fourteen days after the expiration of the third calendar month from the time of the ſaid ſecond payment, make a third payment for four calendar months in advance, for the pay and contingent expences of the militia, and for the allowances to the regimental or battalion clerk or clerks aforeſaid, in the proportions herein before-mentioned; and the receipts of ſuch clerk or clerks, and of ſuch captain of an independent company, or captains of independent companies, or of ſuch perſon or perſons as ſuch captain or captains ſhall ſo authorize to receive ſuch money as aforeſaid, ſhall be a ſufficient discharge to ſuch receiver or receivers general of the land tax, for the ſeveral ſums of money ſo by him or them paid.

The money is to be iſſued by the receiver general to the clerk of the regiment or battalion (except the allowances to the clerks of the meetings) upon producing the warrant of his appointment; and for independent companies, to the reſpective captains, or to their order.

A ſecond payment is alſo to be made within 3 months after the firſt; and a third within three months after the ſecond.

Receipts of the perſons to whom the money ſhall be ſo paid, diſcharge the receivers general.

IV. And be it enacted, That the clerk of each regiment or battalion of militia ſhall forthwith, after the receipt of ſuch ſums of money as aforeſaid, pay, or cauſe to be paid, one calendar month's pay in advance to the adjutant of ſuch regiment or battalion reſpectively; and to the captain or commanding officer of each company belonging to ſuch regiment or battalion, two months pay in advance for the ſerjeants, drummers, and the contingent expences of his reſpective company; and alſo to the commanding officer of the company to which the ſerjeant-major and drum-major ſhall belong, two months pay in advance for ſuch ſerjeant and drum-major; and ſo, from time to time, ſo long as any money on that account ſhall remain in his hands: which pay every ſuch captain or commanding officer is hereby required to diſtribute to each perſon belonging to his company by this act intitled to receive the ſame, as it ſhall become due; and ſhall, once in every year, give in to the clerk of the regiment or battalion to which ſuch company ſhall belong,

The regimental and battalion clerks are to pay in advance one month's pay to the adjutant; and 2 months pay to each captain, for the ſerjeants, drummers, and contingent expences of the ſaid company; and for the ſerjeant-major and drum-major; and to the command-

ing officer of the company to which they belong: captains to diſtribute the pay accordingly; and account for the ſame yearly to the clerk or receiver general, if an independent company, according to the following form;

belong, or, if captain of an independent company, to the receiver general, an account of the ſeveral payments he ſhall have made in purſuance of this act, according to the following form:

County of Dr.	£.	s.	d.	*Per Contra* Cr.	£.	s.	d.
To caſh received of Mr. regimental or battalion clerk, or receiver general, *as the caſe ſhall be*, for two months pay in advance.				Paid ſerjeant for days pay from the of to the of following —— ——			
				Ditto as ſerjeant-major (if one in the company)			
				Paid ſerjeant for days pay from the of to the of following —— ——			
				Paid drummer days at 6 *d.* from the of to the of following —— ——			
				Ditto as drum-major (if one in the company)			
				Paid drummer days from the of to the of following			
				Two months contigencies for men and two drummers at 5 *d.* *per* month each ——			

and pay back the ſurplus monies in his hands, except the contingent expences, which is to be accounted for, and applied to the general uſe of the regiment, &c.

And ſhall pay back to the ſaid clerk, or to the receiver general, as the caſe ſhall be, the ſurplus (if any) of the money by him, from time to time, received, and then remaining in his hands, except the money by this act allowed for contingent expences, which ſhall once in every year be accounted for by the captain of each company reſpectively, in manner aforeſaid, and the balance thereof ſhall be by him paid into the hands of the clerk of the regiment or battalion to which ſuch company ſhall belong, to be applied to the general uſe of the ſaid regiment or battalion, as the field officers and captains thereof, or the greater part of them, ſhall, at a general meeting, direct; and the captain of each independent company is hereby required to diſtribute to each perſon belonging to his company intitled thereto, ſuch money as he ſhall receive by virtue of this act; and the ſaid money allowed for the contingent expences of each independent company of militia ſhall be reſpectively applied to the particular uſe of ſuch independent company by the captain thereof.

Captains of independent companies to diſtribute the pay to their men, and apply the money allowed for contingent expences.

Clerk to retain money in his hands for his own ſalary; and diſcharge the cloathing bills.

V. And be it enacted, That the ſaid regimental or battalion clerk may and ſhall retain to his own uſe, out of the money ſo by him received, ſuch further ſums as ſhall complete the allowance herein before made for his ſalary; and ſuch regimental or battalion clerk ſhall pay to ſuch perſon or perſons as ſhall produce an order from his Majeſty's lieutenant, or from the commanding officer of ſuch regiment or battalion, ſuch ſums of money as ſhall be due and owing for or on account of the cloathing of the

the ſaid regiments or battalions, not exceeding the rates herein before mentioned.

When the lord lieutenant and deputies ſhall have fixed the days of exerciſe, they are to certify the ſame to the receiver general, ſpecifying the number of men, and days they ſhall be abſent from home.

VI. And be it further enacted by the authority aforeſaid, That whenever his Majeſty's lieutenant together with two or more deputy lieutenants, and on the death or removal, or in the abſence of his Majeſty's lieutenant, any three or more deputy lieutenants of any county, riding, or place, ſhall have fixed the days of exerciſe for the militia, he or they ſhall, as ſoon as may be, certify the ſame to the receiver general of ſuch county, riding, or place, ſpecifying the number of men, and the number of days ſuch men are to be abſent from home on account of ſuch exerciſe; and ſuch receiver general is hereby required, within fourteen days after the receipt of ſuch certificate, to iſſue and pay to the clerk of the ſeveral regiments or battalions, or to the captains of the independent companies, as the caſe ſhall be, at the rate of one ſhilling *per* day for each private militia man, with the addition of ſix pence *per* day for each corporal of the militia, ſo to be called out to exerciſe, for the number of days ſuch militia men ſhall be abſent from home on account of ſuch exerciſe; and the ſaid regimental or battalion clerks are hereby required forthwith to pay to each captain of the ſaid regiments or battalions the proportion of pay belonging to their reſpective companies.

Receiver general to iſſue thereupon pay for the men to the regimental clerk, &c. who is to pay over the ſame to the reſpective captains.

Captains to make field returns to the commanding officer; and keep account of every day's exerciſe, to be examined and compared with the return.

VII. And be it further enacted, That during the time of ſuch exerciſe as aforeſaid, the captains of every company ſhall make a field return, to be delivered to the commanding officer, and likewiſe keep an account of every day's exerciſe; which account ſhall, at the end of the time of exerciſe, be examined by the commanding officer, and compared with the ſaid return.

Captains to make up their account according to the following form;

VIII. And be it further enacted, That the captain of each company ſhall make up an account of all monies received, and paid by him on account of ſuch exerciſe, according to the following form:

County of	Dr.	£.	s.	d.	*Per Contra*	Cr.	£.	s.	d.
To caſh received of the regimental or battalion clerk, or receiver general, *as the caſe ſhall be*, for Day's pay of men					Paid militia men at exerciſe days Paid additional pay to corporals days				

to be ſigned by them and counterſigned by the commanding officer, and delivered with the bal-

Which account ſhall be ſigned by the ſaid captain, and counterſigned by the commanding officer; and ſuch captain ſhall, within ten days after the time of ſuch exerciſe, deliver ſuch account, and pay the ballance, if there be any due, to the regimental or battalion clerk; or if captain of an independent company, to the receiver general; and ſuch accounts ſhall be allowed as ſufficient

lance to the clerk, or receiver general.

ficient vouchers in the paſſing of the accounts of ſuch receiver general at the receipt of his Majeſty's exchequer.

Accounts allowed ſufficient vouchers.

During the time the troops are embodied, and called out into actual ſervice, and receive pay as the King's other forces, all pay from the receivers general is to ceaſe.

IX. Provided always, and be it enacted, That where any regiment, battalion, or independent company of militia is or ſhall be embodied and called out into actual ſervice, and thereby the officers and private militia men are or ſhall be intitled to the ſame pay as the officers and private men in his Majeſty's other regiments of foot receive, all pay from the receiver or receivers general of the land tax for the county, riding, or place to which ſuch regiment, battalion, or independent company of militia ſhall belong, whether to the adjutant, ſerjeants, private militia men, or others; and all money allowed as aforeſaid for the contingent expences of ſuch regiment, battalion, or independent company of militia; and alſo the allowance to the clerk of ſuch regiment or battalion; ſhall, during ſuch time of actual ſervice, and until ſuch regiment, battalion, or independent company ſhall be diſembodied, and returned home by order of their commanding officers, ceaſe, and not be paid.

The clerk of the general meetings is to paid his allowance, upon producing an order from the lord lieutenant, or three deputies; and the clerks of the ſubdiviſion meetings upon producing a like order from one deputy lieutenant.—Orders to diſcharge receivers general.

X. And be it enacted, That the ſaid receiver or receivers of the land tax ſhall pay to the clerk of the general meetings his allowance, at the rate of five pounds five ſhillings for each meeting, upon his producing an order or orders for that purpoſe from his Majeſty's lieutenant, or from three deputy lieutenants aſſembled at ſome general meeting or meetings; and ſhall alſo pay to each and every the clerks of the ſubdiviſion meetings, their ſeveral allowances, at the rate of one pound one ſhilling for each meeting, upon his or their producing an order or orders from one or more deputy lieutenant or deputy lieutenants aſſembled in the ſeveral ſubdiviſion meetings; which ſaid order or orders ſhall be to the ſaid receiver or receivers general of the land tax, a ſufficient diſcharge for the payment of ſuch allowances, and be allowed in his or their account.

Regimental and battalion clerks to give ſecurity for paying and accounting for the monies received by them;

The bonds to be lodged with the receivers general, and put in ſuit by them on non-

XI. Provided always, and be it enacted, That the clerk of each regiment or battalion of militia ſhall give ſecurity to the receiver or receivers general of the land tax of the county, riding, or place, to which ſuch regiment or battalion ſhall belong, by a bond to his Majeſty, in the penalty of one half of the ſum required for the whole year's charge of the regiment or battalion of militia to which ſuch clerk ſhall belong, for duly anſwering and paying ſuch ſums as he ſhall, from time to time have received, and for duly accounting for the ſame, and for performance of the truſt hereby in him repoſed; which ſaid bond ſhall be lodged in the hands of the receiver or receivers general of the land tax for the reſpective county, riding, or place, who, in caſe the ſaid regimental or battalion clerk ſhall not duly perform the conditions comprized in the ſaid bond, ſhall, and is hereby required forthwith to put the ſaid bond in

ſuit

ſuit, in the name of his Majeſty, his heirs, and ſucceſſors; the full coſts and charges of which ſuit, in caſe judgment ſhall be given againſt ſuch regimental or battalion clerk, ſhall be paid by him to the ſaid receiver or receivers general of the land tax, who ſhall likewiſe be intitled to, and receive to his or their own uſe, at the rate of five pounds *per centum*, out of all ſuch monies as ſhall be by him or them recovered thereon, and ſhall account for the reſidue thereof with the proper auditor of his Majeſty's revenue, the ſaid receiver or receivers general of the land tax charging himſelf or themſelves therewith upon the next account of the land tax to be by him or them paſſed.

performance of the condition;

and they are intitled thereupon to full coſts and charges,

and 5 *l. per cent.* of the money recovered;

the reſidue to be accounted for to the auditor.

XII. And be it enacted, that the clerk of every regiment or battalion of militia, and the captain of every independent company of militia, in every county, riding, and place, within the part of *Great Britain* aforeſaid, ſhall, between the twenty fifth day of *March* and the twenty fourth day of *June*, in the year one thouſand ſeven hundred and ſixty three, deliver to the receiver or receivers general of the land tax for the county, riding, or place, to which ſuch regiment, battalion, or independent company ſhall belong, a fair account in writing of all monies by him received and diſburſed for the ſervice of the preceding year, in purſuance of this act, with proper vouchers for the ſame; and ſhall pay back to the ſaid receiver or receivers general of the land tax, any ſurplus of ſuch monies that ſhall then be in his hands; which ſaid accounts, ſigned by ſuch regimental or battalion clerk, or by ſuch captain of an independent company reſpectively, ſhall be tranſmitted by the ſaid receiver or receivers general of the land tax, into the office of the proper auditor of his Majeſty's revenue.

The regimental and battalion clerks and captains of independent companies, are to deliver in accounts of their receipts and diſburſements,

and pay over the balance to the receivers general; who are to tranſmit the accounts into the auditor's office.

XIII. Provided always, and be it enacted, That all penalties, all coſts and charges of ſuit, and all ſums of money for which any perſon or perſons is or are by this act made anſwerable, may and ſhall be recovered in any of his Majeſty's courts of record at *Weſtminſter*, by action of debt, bill, plaint, or information, wherein no eſſoin, wager of law, or protection, or more than one imparlance, ſhall be allowed.

Recovery of penalties, &c.

XIV. Provided always, and be it enacted, That no fee or gratuity whatſoever ſhall be given or paid for or upon account of any warrant or ſum of money which ſhall be iſſued in relation to, or in purſuance of this act.

No fee payable for any warrant or ſum of money iſſued in purſuance of this act.

CAP.

CAP. XXXVI.

An act for better ſecuring the payment of the ſums of money directed by an act made in the thirty ſecond year of the reign of his late Majeſty King George *the Second, to be applied in augmentation of the ſalaries of the puiſne judges in the court of* King's Bench, *the judges in the court of* Common Pleas, *the barons of the coif in the court of* Exchequer, *at* Weſtminſter, *and the juſtices of* Cheſter, *and the great ſeſſions for the counties in* Wales *for the time being.*

Preamble, reciting clauſe in act 32 Geo. II.

WHEREAS *by an act made in the thirty ſecond year of the reign of his late Majeſty King* George *the Second, intituled,* "*An act for augmenting the ſalaries of the puiſne judges in the court of* King's Bench, *the judges of the court of* Common Pleas, *the barons of the coif in the court of* Exchequer, *at* Weſtminſter, *the judges in the courts of ſeſſion and* Exchequer *in* Scotland, *and juſtices of* Cheſter, *and the great ſeſſions for the counties in* Wales," *it was ſet forth that the ſalaries of the ſaid judges and juſtices were inadequate to the dignity and importance of their offices, and therefore, in order to eſtabliſh in the firſt place a proper fund for the augmentation of the ſalaries of the ſaid judges in the courts at* Weſtminſter, *and juſtices of* Cheſter, *and the great ſeſſions for the counties in* Wales, *certain ſtamp duties were thereby granted and appropriated to the payment of the ſeveral and reſpective ſums of money directed by the ſaid act to be applied in augmentation of the ſalaries of the ſaid laſt mentioned judges and juſtices, and certain ſums were directed to be paid yearly, out of the duties and revenues therein mentioned, in augmentation of the ſalaries of the ſaid judges in* Scotland: *and whereas the fund provided for payment of the ſums granted in augmentation of the ſalaries to the ſaid judges and juſtices in* England *and* Wales, *hath proved inſufficient to make good and anſwer the ſame: We, your Majeſty's moſt dutiful and loyal ſubjects, the commons of* Great Britain *in parliament aſſembled, in order to make the ſaid fund effectual to anſwer the ſaid purpoſes, do give and grant unto your Majeſty the duties herein after mentioned, and do therefore moſt humbly beſeech your Majeſty that it may be enacted*; *and* be it enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons in this preſent parliament aſſembled, and by the authority of the ſame, That from and after the fifth day of *July*, one thouſand ſeven hundred and ſixty two, there ſhall be, throughout *England*, the dominion of *Wales*, and town of *Berwick* upon *Tweed*, raiſed, collected, levied, and paid, unto and for the uſe of his Majeſty, his heirs and ſucceſſors, for every piece of vellum, parchment, or paper, on which the matters and things herein after mentioned ſhall be ingroſſed or written, at any time or times after the ſaid fifth day of *July*, over and above the rates, duties, charges and ſums of money, now due and payable to his Majeſty for or in reſpect

From and after 5 July, 1762, the following additional duty to be laid on ſtamped vellum, parchment, or paper, viz.

reſpect of the ſame, the further rates, duties, charges, and ſums of money; that is to ſay,

For every piece of vellum or parchment, or ſheet or piece of paper, upon which any admiſſion into any of the four inns of court ſhall be ingroſſed or written, the ſum of two pounds.

on every admiſſion into any of the inns of court, 40 s.

For every piece of vellum or parchment, or ſheet or piece of paper, upon which any regiſter, entry, teſtimonial, or certificate, of the degree of utter barriſter, taken in any of the four inns of court ſhall be ingroſſed or written, the ſum of two pounds.

and on every teſtimonial of the degree of an utter barriſter taken in any of the inns of court, 40 s.

II. And be it further enacted by the authority aforeſaid, That for the better and more effectual raiſing, levying, collecting, and paying, the ſaid additional rates and duties herein before granted, the ſame ſhall be under the government, care, and management, of the commiſſioners for the time being appointed to manage the duties payable to his Majeſty, his heirs, and ſucceſſors, and charged on ſtamped vellum, parchment, and paper, by former acts of parliament in that behalf made, who, or the major part of them, are hereby required and impowered to employ ſuch officers under them for that purpoſe as they ſhall think proper; and to uſe ſuch dies and ſtamps to denote the ſtamp duties hereby charged as they ſhall think fit, and to repair, renew, or alter, the ſame, from time to time, as there ſhall be occaſion, and to do all other acts, matters, and things, neceſſary to be done for putting this act in execution with relation to the ſaid rates and duties hereby granted, in the like, and in as full and ample manner, as they, or the major part of them, are authorized to put in execution any former law concerning ſtamped vellum, parchment, or paper.

The ſaid duties to be under the management of the commiſſioners for ſtamps;

who are to appoint proper officers under them,

and provide ſuitable ſtamps.

III. Provided always, and be it further enacted by the authority aforeſaid, That to prevent the multiplication of ſtamps for and in reſpect of the additional rates and duties hereby granted, it ſhall and may be lawful for the ſaid commiſſioners, inſtead of diſtinct ſtamps, to aſcertain the duties granted by former acts and this act, to cauſe one new ſtamp to be provided for denoting all the ſaid duties, from time to time, as ſhall by the ſaid commiſſioners be thought proper or neceſſary.

One new ſtamp to be provided for denoting the ſaid duties.

IV. And be it further enacted by the authority aforeſaid, That all vellum, parchment, and paper, charged by this act, with any of the ſtamp duties hereby granted, which hath been, or ſhall before the ſaid fifth day of *July*, be ſtamped or marked in purſuance of the former acts of parliament relating to his Majeſty's ſtamp duties, or any of them, ſhall, before any of of the matters or things in reſpect whereof any rate or duty is hereby made payable, ſhall be ingroſſed or written thereupon, ſuch ingroſſing or writing being at any time after the ſaid fifth day of *July*, be brought to the head office for ſtamping or marking

Vellum, &c. ſtamped before 5 July, in purſuance of other acts, and chargeable with the duties of this act, is to be brought to the ſtamp office in order to

have an additional ſtamp impreſſed; and ſuch as ſhall not have been ſtamped before the ſaid day in purſuance of former acts, is to be duly ſtamped as hereby directed, before any matter or thing be ingroſſed thereon,

marking of vellum, parchment, and paper, to be ſtamped or marked with another mark or ſtamp, over and beſides the marks or ſtamps put or to be put thereupon, in purſuance of the ſaid former acts or any of them; and that all vellum, parchment, and paper, which hath not been, or ſhall not, before the ſaid fifth day of *July*, be ſtamped or marked in purſuance of the ſaid former acts, or any of them, ſhall, before any of the matters or things in reſpect whereof any ſtamp duty is payable hereby, and by the ſaid former acts or any of them, ſhall be thereupon ingroſſed or written, ſuch ingroſſing or writing being after the ſaid fifth day of *July*, be brought to the ſaid head office, and there marked and ſtamped with the proper marks or ſtamps, or mark or ſtamp, provided, uſed, or appointed, or to be provided or appointed, in purſuance of the ſaid former acts, or of this act, to denote the reſpective duties thereby and hereby reſpectively charged thereupon; and if any of the ſaid matters and things ſo to be ingroſſed or written as aforeſaid, ſhall be ingroſſed or written contrary to the true intent and meaning hereof, upon vellum, parchment, or paper, not appearing to have been duly marked or ſtamped, according to this act, that then, and in every ſuch caſe, there ſhall be due, anſwered, and paid (over and above the ſtamp duties payable hereby, and by the ſaid former acts, or any of them) for

on forfeiture of 5l. over and above the duties, and ſuch writing, &c. being unavailable in law, till the duties and forfeitures be paid, and the proper ſtamp impreſſed.

or in reſpect of every ſuch matter or thing, the ſum of five pounds; and that no ſuch matter or thing ſhall be available in law or equity, or be given in evidence, or admitted in any court, unleſs as well the ſaid duty hereby charged in reſpect thereof, as the ſaid ſum of five pounds, ſhall be firſt paid to the receiver general for the time being of the ſtamp duties, or his deputy or clerk, and until the vellum, parchment, or paper, upon which ſuch matter or thing is ſo ingroſſed or written, ſhall be marked or ſtamped, according to the tenor and true meaning hereof; and the ſaid receiver general, and his deputy or clerk, are hereby enjoined and required, upon payment or tender of the ſaid duties, and of the ſaid ſum of five pounds, and ſuch other ſums, as by the ſaid former acts are payable in that behalf, to give a receipt for ſuch monies; and the other proper officers are thereupon required to mark or ſtamp ſuch matters or things with the proper marks or ſtamps, or mark or ſtamp required in that behalf; which ſaid ſum of five pounds is to be applied to the ſame uſes and purpoſes, as the duties hereby granted are to be applied.

Receiver general, &c. to give receipts for the ſaid monies; and the ſtamps to be thereupon impreſſed.

Penalty to be applied as the duties.

V. And be it further enacted by the authority aforeſaid, That the rates and duties herein before granted, ſhall be paid, from time to time, into the hands of the receiver general for the time being of the duties on ſtamped vellum, parchment, and paper, who ſhall keep a ſeparate and diſtinct account of the rates and duties ariſing by virtue of this act, and pay the ſame (the neceſſary charges of raiſing, paying, and accounting for ſuch rates and duties, being deducted) into the receipt of the exchequer, for the purpoſes herein after expreſſed,

Duties to be paid into the hands of the receiver general, who is to keep a ſeparate account thereof, and pay over the ſame into the exchequer;

at

at ſuch time and in ſuch manner, as any former duties on ſtamped vellum, parchment, or paper, are directed to be paid; and that in the office of the auditor of the ſaid receipt, ſhall be provided and kept a book or books in which all the monies ariſing from the rates and duties hereby granted and paid into the ſaid receipt as aforeſaid, ſhall be entered ſeparate and apart from all other monies paid and payable to his Majeſty, his heirs, and ſucceſſors, upon any account whatſoever, and ſhall be applied in ſuch manner as is herein after mentioned.

and the auditor is to provide a book for entering the ſame ſeparately from all other monies.

VI. And be it further enacted by the authority aforeſaid, That the ſaid commiſſioners, and all other officers who ſhall be employed in the collection or management of the ſaid rates and duties herein before granted, ſhall, in the execution of their offices, obſerve and perform ſuch rules and orders as they reſpectively ſhall, from time to time, receive from the high treaſurer or the commiſſioners of the treaſury, or any three or more of them, for the time being; and that no fee or reward ſhall be taken or demanded by any ſuch commiſſioners or officers, from any of his Majeſty's ſubjects, for any matter or thing to be done in purſuance of this act; and in caſe any officer employed in the execution of this act, in relation to the ſaid rates and duties, ſhall refuſe or neglect to do or perform any matter or thing by this act required or directed to be done or performed by him, whereby any of his Majeſty's ſubjects ſhall or may ſuſtain any damage whatſoever, ſuch officer ſo offending ſhall be liable, by any action to be founded on this ſtatute, to anſwer to the party grieved all ſuch damages, with treble coſts of ſuit.

Commiſſioners and officers employed in the collection and management of theſe duties, are to obſerve the direction of the treaſury; and no fee is to be taken by them; and neglecting their duty, to the damage of any perſon, they are liable to make good the ſame, with treble coſts of ſuit;

VII. And be it further enacted by the authority aforeſaid, That the ſaid commiſſioners, and their officers, ſhall be ſubject to ſuch penalties and forfeitures for any breach of the truſts in them repoſed, or for diverting or miſapplying the money received in purſuance of this act, as by any former law relating to ſtamped vellum, parchment, or paper, are inflicted; and that all powers, proviſions, articles, clauſes, penalties, forfeitures, diſtribution of penalties and forfeitures, and all other matters and things preſcribed, inflicted, or appointed, by any former act or acts of parliament relating to the ſtamp duties on vellum, parchment, and paper, and not hereby altered, ſhall be in full force and effect with relation to the rates and duties hereby impoſed, and ſhall be applied and put in execution for the raiſing, levying, collecting, and ſecuring the ſaid rates and duties, according to the true intent and meaning of this act, as fully, to all intents and purpoſes, as if the ſame had ſeverally and reſpectively been herein enacted with relation to the rates and duties hereby impoſed.

and they are made ſubject to the like penalties for any breach of truſt, &c. as are inflicted by any of the former acts; and all the proviſions, &c. in thoſe acts; where not altered by this, are extended to this act.

VIII. And be it further enacted by the authority aforeſaid, That if any perſon from and after the ſaid fifth day of *July*, ſhall counterfeit or forge, or procure to be counterfeited or forged, any ſeal, ſtamp, or mark, to reſemble any ſeal, ſtamp, or mark, directed or allowed to be uſed by this act, for the purpoſe of denoting

Penalty of counterfeiting or forging any of the ſtamp to be uſed for the purpoſes of this act;

or of ſelling any vellum, &c. with ſuch counterfeit ſtamps;

or of privately uſing any of the allowed ſtamps, with an intent to defraud;

is felony, without benefit of clergy.

noting the duties hereby granted; or ſhall counterfeit or reſemble the impreſſion of the ſame, with an intent to defraud his Majeſty, his heirs, and ſucceſſors, of any of the ſaid duties, or ſhall utter, vend, or ſell, any vellum, parchment, or paper, liable to any ſuch ſtamp duty, with ſuch counterfeit ſtamp or mark, knowing the ſame to be counterfeit; or ſhall privately or fraudulently uſe any ſeal, ſtamp, or mark, directed or allowed to be uſed by this act, with intent to defraud his Majeſty, his heirs, and ſucceſſors, of any of the ſaid duties, every perſon ſo offending, and being thereof lawfully convicted, ſhall be adjudged a felon, and ſhall ſuffer death as in caſes of felony, without benefit of clergy.

Duties of this, and of the former act of 32 Geo. II. to be a joint fund for paying the judges ſalaries;

and the ſurplus to be reſerved for the diſpoſition of parliament.

IX. And be it further enacted by the authority aforeſaid, That the duties hereby granted, and the duties ariſing by virtue of the ſaid former act, made in the thirty ſecond year of his late Majeſty's reign, ſhall be, and are hereby made one joint fund, for anſwering and paying, in ſuch manner and proportions as are therein directed and appointed, with reſpect to the duties thereby granted, all ſuch ſums of money as ſhall become due and payable from and after the ſaid fifth day of *July* in purſuance of the ſaid act, to the puiſne judges in the court of *King's Bench*, the judges in the court of *Common Pleas* at *Weſtminſter*, the chief and other barons of the coif in the court of *Exchequer* at *Weſtminſter*, the chief and ſecond juſtices of *Cheſter*, and the juſtices of the great ſeſſions for the counties in *Wales*, for the time being reſpectively; and if any ſurplus ſhall remain of the produce of the ſaid fund, the ſame ſhall be reſerved for the diſpoſition of parliament, in ſuch manner as any ſurplus of the duties granted by the ſaid act, are thereby directed to be reſerved.

General iſſue.

Treble coſts.

X. And it is hereby enacted by the authority aforeſaid, That if any perſon or perſons ſhall at any time or times be ſued or proſecuted for any thing by him or them done, or to be done or executed, in purſuance of this act, or of any matter or thing in this act contained, ſuch perſon or perſons ſhall and may plead the general iſſue, and give the ſpecial matter, in evidence, for his or their defence; and if upon the trial a verdict ſhall paſs for the defendant or defendants, or the plaintiff or plaintiffs ſhall become nonſuited, then ſuch defendant or defendants ſhall have treble coſts to him or them awarded againſt ſuch plaintiff or plaintiffs.

CAP. XXXVII.

An act for veſting certain lands, tenements, and hereditaments, upon the ſea coaſts, in the counties of Kent, Suſſex, *and* Southampton, *on which forts and batteries have been erected for the defence of the ſaid coaſts, in truſtees, for certain uſes; and for other purpoſes therein mentioned.*

Preamble.

WHEREAS *the coaſts of* Suſſex, Kent, *and* Southampton, *lay open and expoſed to the hoſtile invaſions of his Majeſty's enemies:*

enemies: and whereas our late moſt gracious ſovereign lord George *the Second, out of his paternal affection, tendering the welfare and protection of his dutiful and loyal ſubjects, did order and direct the maſter general and principal officers of his ordnance, to erect and build ſeveral forts and batteries, at convenient diſtances, upon the ſaid coaſts: and whereas, in purſuance of ſuch orders, forts and batteries have been erected by and with the conſent of the owners and proprietors of the ſeveral lands herein after-mentioned, on which the ſame are reſpectively erected*; *at* Little Hampton, Brighthelmſton, Newhaven, Blotchington, Seaford, Haſtings, *and* Rye, *in the county of* Suſſex; *and at* Folkſtone *and* Hyth, *in the county of* Kent; *and in the pariſh and* Iſland *of* Portſea, *in the county of* Southampton: *and whereas it is juſt and reaſonable that the ſeveral owners and proprietors of ſuch lands ſhould have proper compenſation and ſatisfaction made for their reſpective intereſt therein, and that the ſaid lands ſhould be veſted for ever in the crown, or in truſtees, for the uſe and benefit of your Majeſty, your heirs, and ſucceſſors, after ſuch compenſation made to the owners and proprietors of the ſaid lands; May it therefore pleaſe your Majeſty, that it may be enacted*; *and* be it enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons, in parliament aſſembled, and by the authority of the ſame, That all that piece or parcel of land ſituate on the ſea ſhore on the eaſt ſide of the entrance into *Arundel Haven*, in the pariſh of *Climpton*, in the county of *Suſſex*, containing two acres, twelve perch and an half, on which a fort or battery called *Little Hampton Battery*, with gunners barracks, and the magazine thereto belonging, have lately been erected; and alſo all that piece or parcel of land ſituate on the ſea ſhore at the eaſt part of the town of *Brighthelmſton*, in the ſaid county of *Suſſex*, containing one rood, twenty ſeven perch and three quarters, being part of the lands of *Brighthelmſton* aforeſaid, called *The Eaſt Clift*, on which ſaid piece of land laſt-mentioned, the fort or battery called *Brighthelmſton Battery*, with gunners barracks, and the magazine thereto belonging, have lately been erected; and alſo all that piece or parcel of land ſituate on the north ſide, at the entrance of the harbour of *Newhaven*, in the ſaid county of *Suſſex*, containing one acre, two rood, and twenty ſeven perch, part of the lands called *The Caſtle Hill*, on which ſaid piece of land laſt-mentioned, the fort or battery called *Newhaven Battery*, with gunners barracks, and the magazine thereto belonging, have lately been erected; and alſo all that piece or parcel of land ſituate in the pariſh of *Blochington*, in the ſaid county of *Suſſex*, together with a way and paſſage five hundred twenty ſix feet in length, and ten feet wide, from the weſt angle of the ſaid piece or parcel of land, to a certain well ſituate on *Blotchington Down*, which ſaid piece or parcel of land, with the ſaid way or paſſage, contain three acres, twenty one perch, and on which ſaid piece or parcel of land, a fort or battery called *Blochington Battery*, with gunners barracks, and the magazine thereto belonging, have lately been erected;

The lands, with the barracks and magazines, whereon the ſeveral forts or batteries following ſtand, viz, Of Little Hampton, on the entrance in Arundel Haven; Brighthelmſton Battery; Newhaven Battery; Blotchington Battery;

Seaford Battery; erected; and alſo all that piece or parcel of waſte land ſituate in the pariſh of *Seaford*, in the ſaid county of *Suſſex*, containing, together with a well at the town of *Seaford*, one acre, one rood, and ſeven perch, being the greateſt part thereof waſte lands called *Seaford Beach*, on which the fort and battery called *Seaford Battery*, with the gunners barracks, and magazines thereto belonging, have lately been erected; and alſo all that piece or parcel of waſte land, ſituate in the pariſh of *Saint Mary of the Caſtle*, on the pier at the weſt ſide of the town of *Haſting*, in the ſaid county of *Suſſex*, on which a battery called *Haſting Battery* has lately been erected; and alſo all that other piece or parcel of land, ſituate on the ſaid pier, on which the gunners barracks, and magazine belonging to the ſaid battery laſt-mentioned, have lately been erected, which ſaid two pieces or parcels of land laſt-mentioned, contain together one rood and twenty five perch; and alſo all that piece or parcel of waſte land ſituate at *Rye*, in the ſaid county of *Suſſex*, containing one acre, two rood, and thirty three perch, called *The Gun Garden Battery*, where an old battery formerly ſtood, and on which two new batteries called the *Upper Battery* and *Lower Battery*, and the magazine to them belonging, have lately been erected; and alſo all that other piece or parcel of waſte land ſituate at *Rye* aforeſaid, containing ſix perch, being part of the waſte called *The Old Church Yard*, on which the gunners barracks, belonging to the ſaid batteries laſt-mentioned, have lately been erected; and alſo all that piece or parcel of land ſituate at *Folkeſtone* in the county of *Kent*, containing one acre, one rood, and twelve perch, being part of a piece of land called *The Upper Bail Ground*, on which a fort or battery has been lately erected; and alſo all that piece or parcel of waſte land ſituate near the town of *Hyth*, in the ſaid county of *Kent*, containing twenty one perch, on which a battery of five guns has been lately erected; and alſo all that other piece or parcel of waſte land near the ſaid town of *Hyth*, containing twenty four perch, on which the gunners barracks and magazine belonging to the ſaid battery laſt mentioned, have been lately erected; and alſo all that piece or parcel of land ſituate in the pariſh of *Portſea* in the county of *Southampton*, containing four acres, three rood, and ſeventeen perch, being part of two fields called *The Sixteen Acre Field* and *The Eighteen Acre Field*, belonging to *Lump's Farm*, in the ſaid pariſh of *Portſea*, on which a fort or battery, called *Lump's Battery*, with the gunners barracks, and magazine thereto belonging, have lately been erected; and alſo all that piece or parcel of land ſituate in the ſaid pariſh of *Portſea*, containing ſix acres, two rood, and twenty one perch, being part of two fields called *Lock's Puttock*, and the thirty acre field belonging to a farm called *Eaſtney Farm*, in the ſaid pariſh of *Portſea*, on which a fort or battery called *Eaſtney Battery*, with the gunners barracks, and magazine thereto belonging, have lately been erected, together with the beach or ſhingle between high water mark and low water mark, contiguous to, and adjoining the ſaid ſeveral pieces or parcels of land, or any or either of them, and

Haſting Battery;

Gun Garden Battery, at Rye, with the Upper and Lower Batteries there;

Folkſtone Battery;

Hyth Battery;

Lump's Battery, at Portſea;

and Eaſtney Battery;

and all other rights, members, and appurtenances, to them, or any or either of them, belonging or appertaining, ſhall be, and are hereby, veſted and declared to be in the actual and real poſſeſſion and ſeiſin of Sir *John Cuſt* baronet, ſpeaker of the houſe of commons; the honourable *Robert Fairfax*, Sir *Wyndham Knatchbull Wyndham* baronet, *Thomas Pelham* Eſquire, *John Butler* Eſquire, the right honourable *Henry Bilſon Legge*, and Sir *Simeon Stuart* baronet, their heirs and aſſigns for ever, in truſt nevertheleſs for ſuch perſon and perſons, bodies politic or corporate, eccleſiaſtical or civil, as at or immediately before the time of making this act, were the ſeveral and reſpective owners and proprietors thereof, according to their ſeveral eſtates and intereſts therein at the ſame time, in poſſeſſion, reverſion, remainder, or otherwiſe, until ſuch eſtates and intereſts ſhall be reſpectively adjudged and determined, and reaſonable and juſt compenſation and ſatisfaction ſhall be made for the ſame.

are ſeverally veſted, with the rights, members, and appurtenances thereto belonging, in the truſtees herein mentioned, in truſt for the reſpective owners and proprietors thereof.

II. And be it further enacted by the authority aforeſaid, That for the better aſcertaining the ſeveral owners and proprietors of the ſaid lands, and their reſpective titles and claims thereto, it ſhall and may be lawful to and for his Majeſty, by one or more commiſſion or commiſſions, by letters patent under the great ſeal of *Great Britain*, to authorize and appoint any number of perſons to be commiſſioners to hear and determine all titles and claims that ſhall or may be made to the ſaid lands, tenements, and hereditaments, or to any part or parcel thereof; which commiſſioners ſo to be appointed, or any five or more of them, are hereby authorized and required, and ſhall and may, in a ſummary manner, proceed, act, and determine, by and upon the teſtimony of witneſſes upon oath (which oath they, or any five or more of them, are hereby impowered to adminiſter) inſpection and examination of deeds, writings, and records, or by inqueſt of twelve good and lawful men to be impanelled and ſworn in manner herein after mentioned and directed, or by all or any of the ſaid ways, or otherwiſe, according to their diſcretion, all and all manner of rights, eſtates, and intereſts, and all controverſies, debates, and queſtions, which ſhall happen and ariſe between any perſon or perſons whatſoever, or any other matter or thing relating to any of the premiſſes, or any part thereof; and ſhall have power to ſend for any perſon or perſons, and oblige them to produce their deeds or writings, upon oath, relating to any of the ſame premiſſes; and alſo ſhall and may, by agreement with the reſpective perſon or perſons that ſhall be determined to be the owners and proprietors of the ſaid lands, or by the ſaid inqueſt of the ſaid twelve good and lawful men to be impanelled and ſworn, inquire, proceed, act, and determine, touching and concerning the true and real value of the ſaid premiſſes, or any part or parcel thereof, were or was of at the time the ſame were firſt made uſe of for the purpoſes aforeſaid: and the ſaid commiſſioners, or any five or more of them, are hereby required

His Majeſty impowered to iſſue letters patent, appointing commiſſioners to hear and determine the titles and claims of the ſeveral proprietors of the ſaid lands, tenements, and hereditaments, and their reſpective intereſts therein: They are to proceed therein in a ſummary way by the teſtimony of witneſſes upon oath, inſpection and examination of deeds and other evidences, or by inqueſt, &c. and they are impowered to ſend for any perſons, and oblige them to produce their deeds, &c. relating to the premiſſes;

and, by agreement or inqueſt, to ſettle the value thereof: They are to cauſe their judgments and decrees to be entered in books, ſpecifying the deſcription and boundaries of the ſaid lands, with the names of the parties intereſted; and the ſums agreed for, or aſſeſſed by the jury to be paid for the ſame.

to cauſe all their judgments and decrees to be entered fairly in books; which judgments and decrees ſhall expreſsly mention and ſpecify the reſpective number of acres or parcels of land, with their ſeveral abuttals and boundaries, together with the name or names of every perſon or perſons intereſted reſpectively in the ſame; and the reſpective ſum or ſums that ſhall be ſo agreed for or aſſeſſed by the ſaid jury to be paid for the ſame reſpectively; which judgments and decrees ſhall likewiſe be fairly ingroſſed on parchment, and certified to the clerk of the crown in *Chancery*, and to the King's remembrancer in his Majeſty's court of *Exchequer*; and ſuch judgments and decrees made as aforeſaid ſhall be final, and ſhall conclude all and every perſon and perſons, bodies politic and corporate, eccleſiaſtical and civil, their heirs, ſucceſſors, executors, adminiſtrators, and aſſigns reſpectively, notwithſtanding any diſability or incapacity whatſoever; any law, ſtatute, or cuſtom, or other matter or thing whatſoever, to the contrary notwithſtanding; copies of which ſaid judgments and decrees ſhall be laid forthwith before both houſes of parliament, that a juſt and reaſonable compenſation and ſatisfaction may be made to the ſeveral owners and proprietors of the ſaid lands, tenements, and hereditaments.

The ſaid judgments and decrees to be likewiſe ingroſſed on parchment, and certified to the clerk of the crown in Chancery, and the King's remembrancer in the Exchequer: The ſame to be declared to be final and concluſive to all parties; and copies thereof are to to be laid forthwith before both houſes of parliament, in order that a reaſonable compenſation may be made to the ſeveral owners.

Commiſſioners impowered to iſſue warrants to the ſheriffs for impanelling and returning a ſufficient jury.

III. And be it further enacted by the authority aforeſaid, That for the better carrying the ſaid commiſſion or commiſſions into execution, the ſaid commiſſioners to be appointed in and by the ſaid commiſſion or commiſſions, or any five or more of them, ſhall, and lawfully may, and are hereby authorized and required to iſſue forth their warrant or warrants, under their hands and ſeals, to be directed to the reſpective ſheriffs of the reſpective counties wherein ſuch lands, tenements, or hereditaments ſhall lie, thereby commanding them reſpectively to impanel, ſummon, and return, before the ſaid commiſſioners, at ſuch times and places as ſhall be appointed in ſuch warrant or warrants, a good and ſufficient jury of twenty four good and lawful men qualified to ſerve upon juries, at the aſſizes for the ſaid reſpective counties; who upon their oaths (which oaths the ſaid commiſſioners, or any five or more of them, ſhall have power to adminiſter) ſhall enquire into the true and real value of the ſaid lands, tenements, and hereditaments, and every part or parcel thereof, and who reſpectively are the owners and proprietors thereof, and their reſpective eſtates and intereſts therein; and the better to enable the ſaid jurors to make ſuch enquiry, the ſaid commiſſioners ſhall, and lawfully may, direct, in ſuch their warrant or warrants to the ſaid reſpective ſheriffs, a view to be taken by ſix or more of the ſaid jurors, of the ſe-

Jury to be ſworn:

Their duty.

6 or more of them may be directed to take a view of the premiſſes.

veral

veral lands in the ſaid reſpective counties, at ſome time previous to the meeting of the ſaid commiſſioners; and the ſheriffs of the ſaid counties reſpectively, upon receipt of ſuch warrant or warrants from the ſaid commiſſioners as aforeſaid, are hereby required to impanel, ſummon, and return, twenty four good and lawful men qualified to ſerve upon juries at the aſſizes for the ſaid reſpective counties, and in the mean time to have ſix or more of the ſaid jurors ſo impanelled and ſworn, to view the ſaid lands in their reſpective counties; and at the return of ſuch warrant or warrants to attend the ſaid commiſſioners, with his bailiffs or officers, to prove, if neceſſary, the ſummons of the jurors ſo to be impanelled and returned reſpectively, upon oath, which oath the ſaid commiſſioners, or any five or more of them, ſhall have power to adminiſter to the ſaid ſheriff, and his bailiffs and officers, or any or either of them: and in caſe the ſaid ſheriff or ſheriffs, and his or their bailiffs and officers, or any or either of them, ſhall neglect or refuſe, being duly ſerved with ſuch warrant or warrants of the ſaid commiſſioners fourteen days before the return thereof, to impanel, ſummon, and return ſuch jury of good and lawful men as aforeſaid, or otherwiſe refuſe to execute ſuch warrant or warrants, or ſhall not attend the ſaid commiſſioners, with his bailiffs and officers, who ſhall ſummon the ſaid jurors, at the return of ſuch warrant or warrants, as aforeſaid; then, and in either of the ſaid caſes, the ſaid commiſſioners, or any five or more of them, are hereby authorized and required to impoſe a fine on ſuch ſheriff, bailiffs, and officers, or any or either of them, ſo making default, not exceeding twenty pounds, nor leſs than ten pounds, for any one offence; and in caſe the ſaid jurors ſo to be impanelled, ſummoned, and returned, or any or either of them, ſhall neglect or refuſe to appear at the return of ſuch warrant or warrants, and to be ſworn for the purpoſes aforeſaid; then, and in ſuch caſe, it ſhall and may be lawful to and for the ſaid commiſſioners then aſſembled and met, to impoſe a fine upon each and every of the jurors ſo impanelled, ſummoned, and returned, and without lawful excuſe, (to be allowed of by the ſaid commiſſioners then ſitting, or the major part of them) making default or refuſing to be ſworn, not exceeding the ſum of ten pounds of lawful money of *Great Britain*; which fine and fines ſo to be impoſed and ſet, the ſaid commiſſioners are hereby authorized and required to eſtreat into his Majeſty's court of *Exchequer*, to be levied to the uſe of his Majeſty.

Sheriff to impanel and ſummon a jury accordingly, &c.

and, at the return of the warrants, to attend, with his officers, the commiſſioners, in order to prove the ſervice of the ſummons;

Sheriffs or officers neglecting their duty in the premiſſes,

may be fined by the commiſſioners in a ſum not exceeding 20l. nor leſs than 10l. for one offence.

Jurors neglecting their duty, without lawful excuſe, may be fined in like manner,

in a ſum not exceeding 10l.

Fines may be eſtreated into the Exchequer; and levied to the uſe of his Majeſty.

IV. And be it enacted by the authority aforeſaid, That in caſe a ſufficient jury ſhall not appear upon the return of the ſaid warrant or warrants to take the inqueſt, it ſhall and may be lawful to and for the ſaid commiſſioners, or any five or more of them, to adjourn the ſaid inqueſt to any future day, not exceeding fourteen days, nor leſs than four days from the adjournment thereof, and to iſſue out their warrant or warrants

If a ſufficient jury ſhall not be found, upon return of the warrant, the commiſſioners may adjourn the inqueſt to

ſome future day, not exceeding 14 days, nor leſs than 4. and iſſue their warrant for ſummoning and returning a number equal to thoſe making default.

for impanelling, ſummoning, and returning, an equal number of jurors to thoſe ſo making default, who, together with the jurors before returned by the ſheriffs of the reſpective counties upon ſuch ſecond warrant or warrants afterwards to be iſſued, or upon any future warrant or warrants, adjournment or adjournments, which the ſaid commiſſioners are hereby authorized to iſſue and make, from time to time, until a ſufficient jury can be had, ſhall enquire as aforeſaid.

Twelve deemed a ſufficient jury.

V. Provided always, That twelve good and lawful men ſhall be ſufficient to take the inqueſt aforeſaid; and that in caſe twelve or more (not exceeding twenty three in the whole) ſhall appear and be ſworn to take ſuch inqueſt, then, and in ſuch caſe, the ſaid commiſſioners ſhall continue and ſit from day to day, until the ſaid inqueſt ſhall be taken; and after the inqueſt ſhall be taken, may adjourn to ſome future day for making their judgments and decrees thereon.

The jury being ſworn, the commiſſioners are to ſit from day to day, until the inqueſt is taken; and may then adjourn to ſome future day for making their judgments and decrees thereon.

Commiſſioners to give 30 days notice, previous to their meeting for the purpoſes aforeſaid; the ſame to be affixed on the doors of the guild hall of Canterbury, town hall of Lewes, and Portſmouth, and the principal gates and entrances into the reſpective forts and batteries before mentioned; and publiſhed in the London Gazette. to ſuch notice they can get; concluſive.

VI. And, to the intent that no perſon or perſons may have any cauſe or pretence for not appearing to make out their claims or title to the ſaid lands, tenements, or hereditaments, or any part or parcel thereof; be it further enacted by the authority aforeſaid, That five or more of the ſaid commiſſioners ſhall give notice in writing thirty days at leaſt before their meeting at each place, which writing ſhall be affixed at the reſpective doors of the guild hall of the city of *Canterbury*, the town hall of the borough of *Lewes*, and the town hall of the borough of *Portſmouth*, and at the principal gates of, and entrances into, the reſpective forts and batteries before mentioned; and ſhall likewiſe be publiſhed in the *London Gazette*: and if any perſon or perſons ſhall neglect or refuſe to appear, or, when he or they ſhall appear, ſhall wilfully refuſe to ſhew his or their deeds or writings relating to the premiſſes, that then the ſaid commiſſioners, or any five or more of them, and the jurors to be impanelled and ſworn upon ſuch inqueſt, ſhall proceed, upon the beſt information they can get or have, to make ſuch inqueſt, judgments, and decrees, as before directed; and all ſuch judgments and decrees, being entered and certified as aforeſaid, ſhall be final and concluſive.

Where perſons refuſe to appear, or produce their evidence, purſuant to ſuch notice the commiſſioners and jurors are to proceed upon the beſt information they can get; and the judgments and decrees thereupon made, are declared to be final and concluſive.

Upon payment of the ſums decreed to the reſpective proprietors,

VII. And be it further enacted by the authority aforeſaid, That immediately from and after the time that payment ſhall be made of the ſum and ſums of money ſo to be agreed for or aſſeſſed by the ſaid jury, and decreed and adjudged by the ſaid commiſſioners, or any five or more of them, to the owners and proprietors of the ſaid lands, tenements, and hereditaments herein

herein before mentioned, or to any or either of them, the truſtees herein before mentioned ſhall be deemed and adjudged to ſtand ſeiſed of ſuch part and parcel of the ſaid premiſſes as ſhall be ſo paid for, to and for the uſe of his Majeſty, his heirs, and ſucceſſors, for ever, freed and diſcharged of and from all and all manner of right, title, claim, and demand whatſover, that can or may be made by any perſon or perſons, bodies politic or corporate, eccleſiaſtical or civil.

the truſtees before mentioned ſhall be adjudged to ſtand ſeiſed of the premiſſes, to the uſe of the crown, for ever freed anddiſcharged of all claims, &c.

VIII. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for the ſaid commiſſioners, or any five or more of them, upon the complaint of any owner or owners, occupier or occupiers, of any other lands and hereditaments adjoining to any part of the lands and hereditaments by this act veſted in the ſaid truſtees, that he, ſhe, or they have received any damage by the erecting or compleating of any of the works thereto belonging, to examine into and hear every ſuch complaint, and ſhall make an eſtimate of ſuch damage, and ſhall return ſuch eſtimate with, and in the manner they are herein before directed to return, the aforeſaid judgments and decrees.

Commiſſioners upon complaint made to them of any damage done to adjoining lands, by erecting or compleating any of the ſaid works, are to examine into ſuch complaint, and make and return an eſtimate of the damage.

IX. And be it further enacted by the authority aforeſaid, That no private building or buildings ſhall be made or erected upon any of the lands veſted by this act as aforeſaid; and that the whole profits ariſing, or that ſhall hereafter ariſe, from the ſaid lands, be, and are hereby appropriated and applied for and towards the erection and reparation of the reſpective fortifications of each place, and to no other uſe or purpoſe whatſoever; and all and ſingular the premiſſes ſhall be and are hereby enacted and declared to be unalienable from the crown; neither ſhall any part of the premiſſes be demiſed or demiſeable, otherwiſe than during pleaſure only.

No private buildings to be erected upon any of the lands veſted as aforeſaid by this act; and the profits ariſing from the ſaid lands are to be applied towards the erection and reparation of the reſpective fortifications. The premiſſes declared to be unalienable from the crown; and are not demiſeable but during pleaſure.

X. Provided always, That no commiſſioner who ſhall be employed in the execution of this act, ſhall be liable, for or by reaſon of ſuch execution, to any of the penalties mentioned in an act made in the twenty fifth year of the reign of King *Charles* the Second, intituled, *An act for preventing dangers which may happen from popiſh recuſants*; or in one other act made in the firſt year of the reign of King *William* and Queen *Mary*, intituled, *An act for the abrogating the oaths of ſupremacy and allegiance, and appointing other oaths*; or in one other act made in the parliament holden in the thirteenth and fourteenth years of the reign of the late King *William* the Third, intituled, *An act for the better ſecurity of his Majeſty's perſon, and the ſucceſſion of the crown in the proteſtant line; and for extinguiſhing the hopes of the pretended prince of* Wales, *and all other pretenders, and their open and ſecret abet-*

Commiſſioners exempted from the penalties of the ſeveral qualification acts of 25 Car. II. 1 W. & M. 13 & 14 W. III.

tors; or in one other act made in the parliament begun and holden in the firſt year of the reign of King *George* the Firſt, intituled, *An act for the better ſecurity of his Majeſty's perſon and government, and the ſucceſſion of the crown in the heirs of the late princeſs* Sophia, *being proteſtants; and for extinguiſhing the hopes of the pretended prince of* Wales, *and his open and ſecret abettors.*

and 1 Geo. I.

XI. Provided alſo, and be it enacted, That ſuch commiſſioners as his Majeſty ſhall nominate for the purpoſes in this act, or any of them, ſhall not by reaſon thereof, in any ſort be diſabled or diſqualified from ſitting in the houſe of commons, or their election thereby become void; any law or ſtatute to the contrary thereof in any wiſe notwithſtanding.

The commiſſioners are not diſqualified, by being ſuch, from ſitting in the houſe of commons, or their election thereby become void.

CAP. XXXVIII.

An act for the more eaſy and ſpeedy recovery of ſmall debts, within the town and county of the town of Kingſton *upon* Hull.

CAP. XXXIX.

An act for repairing and widening the roads from Mullen's Pond *in the county of* Southampton, *to the eighteen mile ſtone from the city of* Salisbury *near* Willoughby Hedge; *and from* Weſt Amesbury *to* Anſtlow Hill; *and from* Amesbury *to* Fiddleton; *and from the* New Inn *in* Amesbury *to the end of the pariſh leading to* Durrington; *and from* Wily *to* Cook's Houſe *and* Landford; *and from* Beacon Hill *to the* Nag's Head; *and from thence one mile of the road leading to* Shrewton *in the county of* Wilts.

CAP. XL.

An act for ſupplying the town of Halifax *with water.*

CAP. XLI.

An act for rendering more effectual ſeveral acts paſſed in the fifth year of his late Majeſty King George *the Firſt, and the thirteenth year of his late Majeſty King* George *the Second, for repairing the roads from the top of* Stokenchurch Hill *to* Enſlow Bridge, *through the city of* Oxford, *by* Begbrooke, *to* New Woodſtock *in the county of* Oxon; *and for repairing the road from the* Crown *alehouſe, to the turnpike on* Stokenchurch Hill *aforeſaid; and for repairing the mile-ways on each ſide the ſaid city, as therein mentioned.*

CAP. XLII.

An act for repairing, widening, and altering the road from Sandon *in the county of* Stafford, *to* Bullock Smithy *in the*

the county of Cheſter: *and from* Hilderſtone, *to* Draycott *in the Moors*; *and from* Wetley Rocks, *to* Tean, *in the ſaid county of* Stafford.

CAP. XLIII.

An act for repairing and widening ſeveral roads in the counties of Cornwall *and* Devon, *leading to the borough of* Saltaſh *in the county of* Cornwall.

CAP. XLIV.

An act for repairing and widening the roads from a certain place near Bolton *in the Moors, to* Leigh; *and thence to the guide poſt near* Golbourn Dale, *and to the ſouth end of* Newton Bridge; *and from the ſaid guide poſt to* Winwick; *and from* Newton *by* Parr Stocks, *to the guide poſt in* Parr, *in the county palatine of* Lancaſter.

CAP. XLV.

An act for better regulating the poor; maintaining a nightly watch; lighting, paving, and cleanſing the ſtreets, rows, and paſſages; providing fire-engines and firemen: and regulating the hackney coachmen, chairmen, carmen, and porters; within the city of Cheſter.

CAP. XLVI.

An act for repairing and widening the road from the Loſtwithiel *turnpike road, in the pariſh of* Creed *in the county of* Cornwall, *through* Tregony, *to* Ruan Lanehorne; *and from* Dennis Water, *to three hundred yards on the ſouth ſide of* Trethim Mill, *in the pariſh of* Saint Juſt, *in the ſaid county.*

CAP. XLVII.

An act for the enlightning the ſtreets, lanes, and paſſages, within the town and county of the town of Nottingham.

CAP. XLVIII.

An act for enlarging the term and powers granted by two ſeveral acts, paſſed in the ſixthand ſixteenth years of his late Majeſty, for the more effectual repairing the roads leading from Wadeſmill *in the county of* Hertford, *to* Barley *and* Royſton; *and for making the ſaid acts more effectual.*

CAP. XLIX.

An act for amending and widening the road from the turnpike road at or near the town of Swindon, *to the north end or ſide of the town of* Marlborough, *and from the ſaid town of* Marlborough *to the village of* Everly *in the county of* Wilts.

CAP. L.

An act for repairing, widening, and altering, ſeveral roads leading from Taviſtock *to* Plymouth, *and other places in the county of* Devon.

CAP. LI.

An act to amend and render more effectual an act paſſed in the laſt ſeſſion of parliament, intituled, An act for amending, widening, and keeping in repair, the road leading from *Fiſherton Bridge* to the turnpike road at *Willoughby Hedge* in *Weſt Knoyle*, and from *Wilton Bridge*, to the turnpike road at the weſt end of *Heyteſbury*; and alſo the road from the turnpike road at the top of *Red Hone Hill*, in the pariſh of *Urſhfont*, to the mile-ſtone at the weſtern end of *Fiſherton Street* in the county of *Wilts*.

CAP. LII.

An act for building a bridge croſs the river Teeſe, *at or near the ferry in the pariſh of* Stockton, *in the county of* Durham.

CAP. LIII.

An act for repairing and widening the roads leading from Kelſal, *in the county of* Salop, *to* Whiſton Croſs, *and from thence over* Burnhill Green Rudge Heath, *by the two New Inns, and to a place called* High Gate Warren, *in the county of* Stafford.

CAP. LIV.

An act for amending, widening, and keeping in repair, the road, from Caſtle Street, *at the end of the town of* Hinkly, *to* Lutterworth Town's-End, *and from, or near, the Guide Poſt, at* Walcot Town's-End, *in the county of* Leiceſter, *to the eighty mile ſtone, in* Welford Field, *in the county of* Northampton.

CAP. LV.

An act for continuing and rendering more effectual an act paſſed in the tenth year of his late Majeſty King George *the Second, intituled,* An act for continuing an act paſſed in the third year of the reign of His Majeſty King *George* the Firſt, for laying a duty of two Pennies *Scots*, or one ſixth part of a penny *ſterling*, on every pint of ale or beer, that ſhall be vended, or ſold, within the town of *Dumfries*, and privileges thereof, for paying the debts of the ſaid town, and for building a church, and making a harbour there; *and for laying a duty on the*

the tonnage of ſhipping, and a duty on goods imported and exported, into, and out of, the port of the ſaid town, for the better repairing of the ſaid harbour.

CAP. LVI.

An act to amend and render more effectual an act made in the twenty eighth year of the reign of his late Majeſty King George *the Second, for making navigable* Sanky Brook, *in the county of* Lancaſter, *and for the extending and improving the ſaid navigation.*

CAP. LVII.

An act to amend an act made in the thirty ſecond year of the reign of his late Majeſty, for repairing and widening ſeveral roads, therein mentioned, in the counties of South-ampton *and* Dorſet: *and for amending and widening the road between* Ringwood Gate, *in the county of* South-ampton *to* Woolſbridge; *and from thence to the great Weſtern road, between a place called* Thick Thorn *and* Caſhmore Inn.

CAP. LVIII.

An act for the better relief and employment of the poor, and for cleanſing the ſtreets, lanes, and other paſſages and places, in the pariſh of Saint James, *within the liberty of* Weſt-minſter, *and for enlarging the church yard belonging to the ſaid pariſh.*

CAP. LIX.

An act for repairing, widening, turning, and ſhortning the road leading from the turnpike road on Farrard's Com-mon, *in the pariſh of* Bradford, *through* Holt *and* Melk-ſham, *to* Homan's Stile, *in the pariſh of* Laycock, *in the county of* Wilts.

CAP. LX.

An act for repairing und widening the road from the turn-pike road at Weyhill, *in the county of* Southampton, *to the turnpike road at* Lyde Way, *in the county of* Wilts.

CAP. LXI.

An act for altering, widening, and amending, the road from the north gate of the city of Wincheſter, *over* Worthy Cow Down, *through* Whitchurch, *and other places to* Newtown River, *and alſo the road from* Worthy Cow Down *aforeſaid, through* Wherwell, *to the preſent turn-pike road at* Andover, *in the county of* Southampton.

CAP. LXII.

An act for repairing and widening the high road, leading from Aſhborne, *in the county of* Derby, *to the town of* Leek, *in the county of* Stafford, *and from* Reycroft Gate, *upon* Ruſhton Common, *to* Congleton, *in the county of* Cheſter; *and alſo the road leading from* Blyth Marſh, *in the county of* Stafford, *through* Cheadle, Oakamoor, *and* Blore, *to the turnpike road, from* Aſhborne *to* Buxton *near* Thorp, *in the county of* Derby.

CAP. LXIII.

An act for amending, widening, altering, and keeping in repair, the road from the ſouth end of Sparrow's Herne *on* Buſhy Heath, *through the market towns of* Watford, Berkhampſtead, Saint Peters, *and* Tring, *in the county of* Hertford, *by* Pettiphers Elms, *to the turnpike road at* Walton, *near* Ayleſbury, *in the county of* Bucks.

CAP. LXIV.

An act for amending, widening, and keeping in repair, ſeveral roads leading from Bridge Town Pomeroy, *and from* Teing Bridge *in the county of* Devon.

CAP. LXV.

An act for repairing and widening the roads from the White Poſt *on* Haſleden's Wood, *in the pariſh of* Cranbrooke, *to* Appledore Heath; *and from* Milk Houſe Street, *in the ſame pariſh, to* Caſtleden's Oak, *in the pariſh of* Biddenden; *and from* Golford Green, *in the ſaid pariſh of* Cranbrooke, *to* Tanner's Vent, *in the pariſh of* Benenden, *all in the county of* Kent.

CAP. LXVI.

An act for repairing the road from the turnpike road on the top of Whiteſheet Hill, *to a place called the* Hare Warren; *and from thence to the* Index Poſt, *ſtanding near the* Blanford *turnpike road, on the ſide of* Harnam Hill; *and alſo for repairing and widening the road from the ſaid* Index Poſt, *to a houſe called* Maſter Baker's Farm Houſe, *in the county of* Wilts.

CAP. LXVII.

An act for continuing, enlarging, and rendering more effectual, ſo much of an act made in the fourteenth year of the reign of his late Majeſty King George *the Second, intituled,* An act for enlarging the terms and powers granted by two acts of parliament, for repairing the roads leading from *ſeven Oaks* to *Woodſgate* and *Tonbridge Wells*; and from *Woodſgate* to *Kippings Croſs* in the county

county of *Kent*; and alſo for repairing the roads from *Kippings Croſs* aforeſaid, to *Lamberhurſt Pound* and *Pullen's Hill*, in the ſaid county; and to *Flimwell Vent*, in the county of *Suſſex*; *as relates to the amending, repairing, and keeping in repair, the ſaid roads, leading from* Kippings Croſs *aforeſaid, to* Lamberhurſt Pound, Pullen's Hill, *and* Flimwell Vent, *aforeſaid.*

CAP. LXVIII.

An act for building two new churches, and providing burial places within the town of Liverpool, *in the county palatine of* Lancaſter; *and for the better preſerving the pavements of the ſtreets in the ſaid town; and for aſcertaining the fares and prices to be paid carters, carmen, hackney coachmen, and chairmen, and for regulating their behaviour, within the ſaid town.*

CAP. LXIX.

An act for explaining and amending ſo much of two acts of the twenty ſeventh and twenty ninth years of his late Majeſty, for repairing ſeveral roads therein mentioned, in the counties of Leiceſter *and* Warwick, *as relates to the road between* Hinckley *and* Coventry.

CAP. LXX.

An act to amend and render more effectual ſeveral acts made for cleanſing and enlightening the ſtreets of the town of Kingſton upon Hull, *and for preventing annoyances therein,*

CAP. LXXI.

An act for continuing the term and powers of an act, made in the fourteenth year of the reign of his late Majeſty, intituled, An act for repairing the road from *Doncaſter*, through the pariſh of *Peniſton*, in the county of *York*, to *Salter's Brook*, in the county of *Cheſter*; and alſo the road from *Rotherham*, in the ſaid county of *York*, to *Hartcliffe Hill*, in the ſaid pariſh of *Peniſton*; *and for making the ſaid act more effectual ſo far as the ſame relates to the ſaid road between* Doncaſter *aud* Salter's Brook.

CAP. LXXII.

An act for repairing and widening the road from Flimwell Vent, *in the county of* Suſſex, *through* Highgate *in the county of* Kent, *and the pariſhes of* Sandhurſt, Newenden, *and* Northiam, *to* Rye, *in the ſaid county of* Suſſex; *and from* Highgate *aforeſaid, to* Cooper's Corner, *in the ſaid county of* Suſſex, *and to* Tubb's Lake *in the ſaid county of* Kent.

CAP.

CAP. LXXIII.

An act for repairing and widening the roads from a certain bridge, called James Deeping Stone Bridge, *to* Peter's Gate *in* Stamford, *in the county of* Lincoln, *and from thence, to the ſouth end of the town of* Morcot, *in the county of* Rutland.

CAP. LXXIV.

An act to amend and render more effectual an act made in the twenty ninth year of the reign of his late Majeſty, intituled, An act for amending and keeping in repair the roads leading from *Meadbrook*, which divides the pariſhes of *Pucklechurch* and *Mangotsfield*, in the county of *Glouceſter*, to *Chriſtian Malford Bridge*, in the county of *Wilts*, and alſo from *Pucklechurch* aforeſaid, to certain coal mines in the ſaid pariſh.

CAP. LXXV.

An act for repairing and widening the high road leading from the north end of Ballingdon Bridge, *in* Sudbury, *in the county of* Suffolk, *to the ſouth gate in* Berry Saint Edmunds, *in the ſaid county.*

CAP. LXXVI.

An act for amending and widening the road leading from the high poſt road near the town of Faverſham, *by* Bacon's Water, *through* Aſhford, *to the town and port of* Hythe, *in the county of* Kent, *and from* Bacon's Water, *to a certain lane, called* Holy-Lane, *in* Wincheap, *near the city of* Canterbury.

CAP. LXXVII.

An act to enlarge the term and powers, and alſo to render more effectual an act for amending, widening, and keeping in repair, the ſeveral roads from the town of Pool, *in the county of* Montgomery, *to* Wrexham, *in the county of* Denbigh; *and alſo the road from* Knockin, *in the county of* Salop, *to* Llanrhaiader, *in* Mochnant, *in the county of* Denbigh, *and to repair and widen ſeveral other roads therein mentioned.*

CAP. LXXVIII.

An act for amending and widening the road from the Market-Houſe, *in* Stourbridge, *to* Colly Gate, *in* Cradley, *and from* Pedmore, *to* Holly Hall, *and from* Colly Gate, *to* Haleſowen, *and from the turnpike road on* Dudley Wood, *to* Rednall Green, *in the pariſh of* King's Norton, *and from* Carter's Lane, *to the* Bell Inn *at* Northfield, *in the counties of* Worceſter, Stafford, *and* Salop.

CAP.

CAP. LXXIX.

An act for amending, widening, and keeping in repair, ſeveral roads leading from Cleobury Mortimer, *the* Croſs Houſes, Glazeley, *and the turnpike gate on* Abberley Hill, *in the counties of* Salop *and* Worceſter.

CAP. LXXX.

An act for amending, widening, and keeping in repair, ſeveral roads therein mentioned, lying in the counties of Leiceſter, *and* Warwick, *and in the county of the city of* Coventry.

CAP. LXXXI.

An act for widening, repairing, and amending, the road from Heſket, *by* Yewes Bridge, *to* Cockermouth, *and from thence by* Lorton, *over* Whinlatter, *to* Keſwick, *in the county of* Cumberland; *and from* Keſwick, *by* Dummail Rays *and* Ambleſide, *to* Kerby *in* Kendall *in the county of* Weſtmorland: *and from* Plumbgarth's Croſs, *near* Kerby *in* Kendall *aforeſaid, to the lake called* Windermere, *in the county of* Weſtmorland; *and from* Keſwick *aforeſaid, to the town of* Penrith, *in the county of* Cumberland.

CAP. LXXXII.

An act to continue, and render more effectual, an act paſſed in the thirtieth year of the reign of his late Majeſty, for amending, widening, and keeping in repair, the road leading from *Burleigh Bridge*, in the town of *Loughborough*, to *Aſhby de la Zouch*, in the county of *Leiceſter*; *and for repairing and widening the road, branching out of the ſaid road, at* Coleorton Church, *over* Coleorton Moor, *and through* Worthington *and* Sutton Bonington, *to* Rempſton, *in the counties of* Leiceſter *and* Nottingham.

CAP. LXXXIII.

An act for repairing and widening the roads from Kirkby-Steven High-Lane Head, *in the county of* Weſtmorland, *through* Sedberg, *to* Greeta Bridge, *in the county palatine of* Lancaſter; *and from* Bracken Bar Gate *near* Aſkrigg, *in the county of* York, *through* Sedberg, *to* Kirkby Kendal; *and alſo the road from the four lane ends in* Marthwaite, *to the turnpike road on* Grayrigg Houſe, *leading from* Appleby, *to* Kirkby Kendal, *in the ſaid county of* Weſtmorland.

CAP. LXXXIV.

An act for repairing and widening the road from Coſham, *in the county of* Southampton, *to the city of* Chicheſter.

CAP.

CAP. LXXXV.

An act to impower the commiſſioners and truſtees named and appointed by, and in purſuance of an act of parliament made in the tenth year of the reign of his late Majeſty King George *the Firſt, for making more effectual an act made in the ninth year of his Majeſty's reign, intituled,* An act for completing the repairs of the harbour of *Dover* in the county of *Kent*, and for reſtoring the harbour of *Rye* in the county of *Suſſex*, to it's antient goodneſs ſo far as the ſame relates to the harbour of *Rye*, *to let the ſea and tides into a new cut or channel, made in purſuance of the ſaid act of the tenth year of his ſaid late Majeſty's reign, as far as a wall, called* Winchelſea Wall.

CAP. LXXXVI.

An act to enlarge the term and powers granted by an act paſſed in the eleventh year of the reign of his late Majeſty, for continuing ſeveral acts relating to the harbour of Liverpool, *and for enlarging the ſaid harbour, by making an additional dock, and building a pier in the open harbour there, and for enlightening the ſaid dock, and for making another dock with proper piers in the ſaid harbour, and for erecting lighthouſes, and other proper lights, in or near the port of* Liverpool.

CAP. LXXXVII.

An act for enlarging the term and powers of ſeveral acts of parliament, relating to the harbour of Whitehaven, *in the county of* Cumberland, *and to the roads leading to the ſaid harbour and town of* Whitehaven; *and for further enlarging the ſaid harbour; and for lighting the ſaid town, and ſupplying the ſame with water; and for regulating the carmen there; and for repealing ſo much of an act of the twenty third year of the reign of his late Majeſty, as relates to the road from* Calder Bridge, *to* Egremont, *and directing how the ſaid road ſhall be repaired, and for repairing ſeveral other roads therein mentioned, in the ſaid county.*

THE

Statutes at Large,

Anno tertio GEORGII III. Regis;

Being the SECOND Seſſion of the

Twelfth Parliament of GREAT BRITAIN.

BY

DANBY PICKERING, of GRAY's INN, Eſq;

THE
STATUTES at Large, &c.

Anno tertio GEORGII III. Regis.

CAP. I.

An act for continuing and granting to his Majesty certain duties upon malt, mum, cyder, and perry, for the service of the year one thousand seven hundred and sixty-three.

The same as for the last year (except as follows:)

§ XXXV. THE bills to be placed as cash in the exchequer; and to be issuable thereout in common with other monies; and to be current in the revenue. Receivers to exchange bills for ready money. Tallies to be levied for bills lent into the exchequer.—Interest to continue till payment. Interest to cease, whilst the bills are in the hands of receivers, &c.——Bills paid to receivers, &c. to be signed and dated. Interest to be allowed to the said days.——The bills may be re-issued, both for principal and interest.——Receivers to keep a book. Bills filled up by indorsements, or defaced to be exchanged.——Bills not exceeding 5000l. each, to be made forth at the exchequer.——Forging exchequer bills felony.——How the monies arising by this act shall be applied.——Treasury on 29 Sept. 1764, to take an accouut of all monies raised and discharged.——Unsatisfied monies to be paid out of the next aid, or out of the sinking fund.——Commissioners to appoint to pay off principal sums, which shall from time to time be in course of payment upon exchequer bills.——Money, as brought in, to be paid to the paymasters. ——Bills to be registered in course.——When interest to cease.——Paymasters liable to the controul of the treasury.——Treasury to settle salaries of clerks, &c. and to contract with persons to circulate bills, &c. Contractors not disabled from being members of parliament: may lower or raise the interest with consent of the treasury.——Contractors how to be paid.——No fee to be taken.——No interest for less than one peny.——Charges to be paid out of the sinking fund.——To be replaced out of the first supplies.——Clause of relief for bills lost or destroyed.——Bills discharged to be cancelled.——Sinking fund appropriated to discharge national debts incurred before 25 Dec. 1716.——Deficiency of malt tax 1 Geo. III. how to be supplied.——Arrears of former duties to be applied in aid of the supplies granted for the year 1763. v. 2 Geo. 3. c. 4.

CAP. II.

An act for granting an aid to his Majesty by a land tax to be raised in Great Britain, *for the service of the year one thousand seven hundred and sixty-three.*

(*The same as in the last year.*)——Four shillings in the pound.——Commissioners of the land tax for the year 1762. to put this act in execution. ——Clauses in the malt tax act relating to exchequer bills extended to this. ——The monies arising by this act shall be applied to discharge the said bills, &c.——The treasury on 29 Sept. 1764, to take an account of all monies raised and discharged.——Unsatisfied monies to be paid out of the next aid, or out of the sinking fund.——Deficiencies of the malt tax 1 Geo. III. if not arisen on account of the said aid before 29 Sept. 1763, to be supplied out of any of the monies or loans appropriated for the service of the year 1763. v. 2 Geo. 3. c. 3.

CAP III.

An act for the regulation of his Majesty's marine forces while on shore.

The same as for the last year. v. 2 *Geo.* 3. *c.* 12.

CAP. IV.

An act for rectifying mistakes in the names of several of the commissioners appointed by an act made in the last session of parliament, to put in execution an act made in the same session, intituled, An act for granting an aid to his Majesty by a land-tax, to be raised in *Great Britain,* for the service of the year one thousand seven hundred and sixty-two; *and for appointing other commissioners, together with those named in the first mentioned-act, to put in execution an act of this session of parliament, for granting an aid to his Majesty by a land-tax, to be raised in* Great Britain, *for the service of the year one thousand seven hundred and sixty-three.*

CAP. V.

An act to indemnify such as have omitted to qualify themselves for offices and employments, and to indemnify justices of the peace, deputy lieutenants, and officers of the militia, or others, who have omitted to register or deliver in their qualifications within the time limited by law, and for giving further time for those purposes; and for the making and filing of affidavits of articles of clerkship.

Further time allowed to 28 Nov. 1763, under the same circumstances, as in the last year. v. 2 Geo. 3. c. 23.

CAP. VI.

An act for explaining and amending an act made in the thirty-first year of the reign of his late Majesty King George *the Second, intituled,* An act for the due making of bread, and to regulate the price and assize thereof, and to punish persons who shall adulterate meal, flour, or bread; *so far as the same relates to that part of* Great Britain *called* Scotland; *and for rendering the said act more effectual in that part of the united kingdom.*

Preamble. WHEREAS *by an act of parliament made in the thirty-first year of the reign of his late Majesty King* George *the Second, intituled,* An act for the due making of bread, and to regulate the price and assize thereof; and to punish persons who shall adulterate meal, flour, or bread; *certain powers are granted to the several courts, magistrates, and justices of the peace therein mentioned,*

tioned, to ſet, aſcertain, and appoint, the aſſize and weight of bread which ſhall be made for ſale, or expoſed to ſale, and the price to be paid for the ſame reſpectively, within the bounds of their ſeveral juriſdictions, from time to time, as they ſhall think proper: and it is the. by enacted, That in every aſſize of bread which ſhall be ſo ſet and appointed, reſpect ſhall, from time to time, be had to the price which the grain, meal, or flour, whereof ſuch bread ſhall be made, ſtall bear in the publick market or markets in or near the publick place or places for which any ſuch aſſize ſhall be ſo, at any time, ſet; and, for aſcertaining ſuch price of grain, meal, or flour, from time to time, the ſeveral courts, magiſtrates, and juſtices of the peace therein mentioned, are thereby impowered, from time to time, as there ſhall be occaſion, within their reſpective juriſdictions, to cauſe the reſpective prices which the ſeveral ſorts of grain, meal, and flour, ſhall, from time to time, bona fide, *ſell for in ſuch publick markets, to be given in and certified upon oath unto ſuch court, magiſtrates, or juſtices of the peace reſpectively, within their ſeveral juriſdictions, by the clerk of the market, or by ſuch perſon or perſons, and in ſuch manner, and on ſuch day of the week, as they ſhall reſpectively appoint within their ſeveral juriſdictions; and the price which ſhall be ſo certified, ſhall from time to time, be entered by the reſpective perſon or perſons who ſhall certify the ſame, in a book or books to be provided and kept by him or them for that purpoſe, in the form and manner as therein directed: and whereas the above method of aſcertaining the price of wheat and rye, and the flour and meal made of thoſe grains cannot take place within that part of* Great Britain *called* Scotland, *by reaſon that there are few publick markets for ſuch grains, flour, or meal, within that part of the united kingdom; and where there are publick markets for grain, flour, or meal of any kind, there is no ſuch officer as clerk of the market, who can certify to the magiſtrates or juſtices of the peace the reſpective prices which the ſeveral ſorts of grain, meal, and flour, ſell for in ſuch publick markets; whereby the ſalutary effect, and execution of the ſaid act made for the whole united kingdom, is prevented and totally diſappointed within that part thereof called* Scotland: for remedy whereof, be it enacted by the King's moſt excellent majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons in this preſent parliament aſſembled, and by the authority of the ſame, That in place of the method preſcribed and laid down in the ſaid act for aſcertaining the price of the ſeveral kinds of grain, meal, and flour, it ſhall and may be lawful in that part of *Great Britain* called *Scotland*, for the magiſtrates and juſtices of the peace who are by the ſaid act authorized to ſet the aſſize of bread from time to time, and ſo often as they ſhall judge proper, within their reſpective juriſdictions, to enquire into and take proof of the prices, which the ſeveral ſorts of grain, meal, and flour, fit and proper to make the ſeveral ſorts of bread which ſhall be allowed to be made by them, ſhall *bona fide* ſell for in the publick markets in or near the city, borough, or place, for which they are reſpectively authorized to ſet the aſſize of

Magiſtrates and juſtices to enquire into, and take proof of the prices which the ſeveral ſorts of bread corn, meal, and flour, ſell for in the publick markets;

and where there are no publick markets, then to take proof of the preſent or laſt ſelling price thereof;

bread; or where there are no publick markets for any particular ſpecies of grain, meal, or flour, in or near ſuch city, borough, or place, to enquire into and take proof of the preſent or laſt ſelling price of ſuch ſpecies of grain, meal, or flour, whether of the growth of the country or brought from diſtant places; to which ſelling price or prime coſt ſhall be added ſuch an allowance for the expence and riſk of carriage or tranſportation, as, from the enquiry and proof, ſhall, to the ſaid magiſtrates and juſtices of the peace appear juſt and reaſonable; ſo as that the price of ſuch grain, meal, or flour, be, from time to time, aſcertained according to what thoſe ſeveral ſpecies do or may truly coſt the bakers before they can manufacture the ſame into bread.

ſo as to aſcertain the price the ſame coſts the baker;

they giving previous notice to the deacon of the bakers compony, or to 2 reputable bakers, to attend the taking of ſuch proof.

II. And be it further enacted by the authority aforeſaid, That previous to the proof to be taken in the ſeveral caſes aforeſaid, notice in writing ſhall be given to the deacon of the incorporation of bakers, or, where there is no ſuch incorporation to any two reputable bakers within the city, borough, or place, where ſuch proof is to be taken, forty eight hours at leaſt before taking the ſame, to the end that the makers of bread within ſuch city, borough, or place, may, if they think proper, attend the taking ſuch proof, and ſuggeſt ſuch queſtions, as may be proper to be put to the witneſſes ſummoned by the magiſtrates or juſtices of the peace reſpectively, or offer ſuch other witneſſes or evidence, as may appear proper for proving the prices of the grain, meal, or flour in queſtion.

The proof to proceed upon the oaths of 2 witneſſes converſant in the prices;

who may be ſummoned, and compelled to appear, and give evidence;

III. And be it further enacted by the authority aforeſaid, That ſuch proof ſhall only proceed upon the oaths of two or more credible witneſſes, converſant in the prices of the ſeveral ſorts of grain, meal, or flour, which ſhall be the ſubject of ſuch enquiry, or by writings legally proved; and that it ſhall and may be lawful to the ſaid magiſtrates and juſtices of the peace within their reſpective juriſdictions, to ſummon ſuch perſon or perſons as to them ſhall appear moſt proper for that purpoſe, and to compel them to appear, and give their evidence; and that either by ſuch remedies, and under ſuch penalties, as are provided by the ſaid act, in the caſe of perſons duly ſummoned to give evidence, touching the rates and prices of the ſeveral ſorts of grain, meal, and flour, where the return of the prices of ſuch grain, meal, or flour, ſhall be ſuſpected as not truly and *bona fide* made, or by ſuch remedies as are competent by the common law of *Scotland*, for compelling witneſſes to appear and give evidence in any judicial trial, before a competent court.

ſo as they be not obliged to travel above 5 miles from home.

IV. Provided always, That the perſon or perſons ſo ſummoned, be not obliged to travel above five miles from the place of his, her, or their abode.

Evidence to be ingroſſed in a book,

V. And be it further enacted by the authority aforeſaid, That the whole evidence to be taken as above, ſhall be fairly ingroſſed in a book to be kept for that purpoſe, by the town clerks of the ſeveral cities and boroughs, where ſuch proofs ſhall be taken by the magiſtrates, or by the clerk of the peace where the proof ſhall be taken by the juſtices of the peace; and

and the evidence as taken down in ſuch book ſhall be duly ſigned by the ſeveral witneſſes, and by the magiſtrates or juſtices of the peace who ſhall take the ſame reſpectively, according to the practice of the law of *Scotland*; and that ſo often as ſuch proof ſhall be taken, the magiſtrates or juſtices of the peace, before whom the ſame ſhall be taken reſpectively, ſhall, immediately after cloſing the evidence, or as ſoon as it can conveniently be done, declare the prices of the ſeveral kinds of grain, meal, or flour, concerning which the enquiry has been made, according as theſe ſhall appear to them to be proved, from conſidering the whole evidence, and which declaration ſhall be ingroſſed in the book appointed to be kept as aforeſaid, immediately after the evidence, and ſhall be ſigned by the magiſtrates or juſtices of the peace reſpectively, before whom ſuch proof ſhall be taken; and which book containing the evidence and declaration aforeſaid, ſhall be open, and patent, to the inſpection of the makers of bread, and all other perſons, without fee or reward; and ſhall, to all intents and purpoſes, be deemed and taken to be, equivalent to the returns or certificates of the market prices of all kinds of grain, meal, or flour, appointed to be taken by the ſaid act: and the magiſtrates and juſtices of the peace in that part of *Great Britain* called *Scotland*, ſhall thereupon proceed to ſet, aſcertain, and appoint, the aſſize and weight of all ſorts of bread, which ſhall be made for ſale, or expoſed to ſale, and the price to be paid for the ſame, within their reſpective juriſdictions, when and as often, from time to time, as they ſhall think fit, according to the directions, and agreeable to the tables enacted and referred to by the ſaid act.

and ſigned by the witneſſes, and magiſtrates taking the ſame;

and the reſpective prices to be declared,

and entered in the ſaid book, and ſigned by the magiſtrates;

which is to be free to publick inſpection.

The aſſiſe and weight of bread for ſale, to be aſcertained according thereto.

VI. Provided always, and be it enacted by the authority aforeſaid, That when and ſo often as any aſſize of bread ſhall be ſet, aſcertained, and appointed, for any city, borough, or place, within that part of *Great Britain* called *Scotland*, by the magiſtrates or juſtices of the peace impowered for that purpoſe, ſuch aſſize ſhall not be limited to endure for any certain time, but ſhall continue and ſtand in force until a new aſſize of bread be ſet, aſcertained, and appointed, by the ſaid magiſtrates or juſtices of the peace, for ſuch city, borough, or place reſpectively; any thing in the aforeſaid act of the thirty-firſt year of the reign of his late Majeſty, to the contrary notwithſtanding.

The aſſize not liable to be varied, but to continue in force till a new one is made.

VII. And be it further enacted by the authority aforeſaid, That upon an application in writing by any two or more of the inhabitants or bakers, within any city, borough, or county, where ſuch aſſize of bread ſhall be ſet, to the magiſtrates or juſtices of the peace who ſet the laſt aſſize, or to the magiſtrates or juſtices of the peace of ſuch city, borough, or county, for the time being, ſetting forth, and offering to prove, by proper evidence, that the price of any of the ſpecies of grain before-mentioned, has roſe or fallen ſince the laſt aſſize of bread was ſet, ſo as to authorize an alteration of ſuch laſt aſſize, according to the aforeſaid act of his late Majeſty, and tables therein referred to; in every ſuch caſe, the magiſtrates or juſtices of the peace, to whom ſuch application

Upon application and proof offered of a ſufficient variation of the price of any ſpecies of the ſaid grain, by any 2 inhabitants or bakers ſince the laſt aſſize,

plication ſhall be made, ſhall within their reſpective juriſdictions, be obliged to take evidence of the then current prices, in the manner before directed; and if, upon adviſing ſuch proof, they ſhall find ſuch a variation of the prices ſince the laſt aſſize, as deſcribed in the ſaid act, they ſhall immediately ſet and aſcertain a new aſſize of bread, which ſhall remain till altered agreeable to the directions herein before given.

freſh evidence is to be taken of the current price, and a new aſſize to be made conformable thereto.

VIII. And be it further enacted by the authority aforeſaid, That in caſe any perſon or perſons ſhall be convicted of any of the offences mentioned in the ſaid act, or in this preſent act, before any magiſtrate or magiſtrates, juſtice or juſtices of the peace, in that part of *Great Britain* called *Scotland*, ſuch conviction ſhall proceed and be drawn up in the form commonly uſed and practiſed before ſuch magiſtrates or juſtices of the peace, in convictions for other offences of the like nature; any thing in the ſaid act to the contrary notwithſtanding.

Method of proceeding in caſe of conviction of offenders in the recited or preſent act.

IX. And whereas it may happen, that the magiſtrates of ſome of the cities or boroughs in that part of *Great Britain* called *Scotland*, may neglect to execute the powers committed to them, of ſetting and appointing the aſſize of bread, within their reſpective cities and boroughs; be it therefore enacted by the authority aforeſaid, That in caſe of ſuch neglect of the magiſtrates of any ſuch city or borough, to ſet an aſſize of bread, or to alter any former aſſize ſet by them by a new aſſize, when ſuch alteration in the price of wheat or other grain ſhall occur as is ſufficient to authorize an alteration of the laſt aſſize of bread according to the ſaid act, it ſhall and may be lawful for any two or more of the juſtices of the peace, of the county within which ſuch city or borough lies, to require the chief magiſtrate of ſuch city or borough, by a writing under their hands, to ſet the aſſize of bread, or to alter any former aſſize of bread, according as the caſe ſhall occur; and in caſe ſuch chief magiſtrate, or the other magiſtrates of the ſaid city or borough, ſhall refuſe or neglect, for the ſpace of ten days after ſuch requiſition, to ſet ſuch aſſize, or to alter any aſſize then in force, when the alteration of the price of wheat or other grain does permit the ſame, then and in every ſuch caſe any two or more juſtices of the peace of ſuch county ſhall have power, and are hereby authorized, after taking proof of the prices of the ſeveral kinds of grain, meal, or flour, in manner above directed, to ſet, aſcertain and appoint, an aſſize of bread for ſuch city or borough, which ſhall remain in full force until altered by the magiſtrates thereof, or, in caſe of their neglect, by any two or more of the ſaid juſtices of peace.

Where the magiſtrates of any city or borough neglect their duty in ſetting the due aſſize of bread,

2 juſtices of the county, &c. may require them to ſet or alter the ſame;

and on their neglect to comply therewith, within 10 days, they may then ſettle ſuch aſſize themſelves.

X. And be it further enacted by the authority aforeſaid, That every clauſe, matter, and thing, contained in the aforeſaid act of the thirty-firſt year of his late Majeſty's reign, ſhall remain and continue in full force, in that part of the kingdom of *Great Britain* called *Scotland*, except in ſo far as the ſame is altered by this act.

The recited act, where not altered by this act, to extend to, and be in force within *Scotland*.

CAP.

CAP. VII.

An act for punishing mutiny and desertion; and for the better payment of the army and their quarters.

The same as in the last year. v. 2 *Geo.* 3. c. 2.

CAP. VIII.

An act to enable such officers, mariners, and soldiers, as have been in the land or sea-service, or in the marines, since the twenty-second year of his late majesty King George *the Second, to exercise trades.*

Preamble.

WHEREAS *there hath been, and are, divers officers, mariners, soldiers, and marines, who have served his late Majesty, or his present Majesty, in the late wars by sea and land, some of which are men that used trades, others that were apprentices to trades, who had not served out their times, and others, who by their own industry, have made themselves apt and fit for trades: many of which, the wars being now ended, would willingly employ themselves in those trades which they were formerly accustomed to, or which they are apt or able to follow and make use of, for the getting their living by their own labour, but are or may be hindered from exercising those trades in certain cities and corporations, and other places within this kingdom, because of certain by-laws and customs of those places, and of the statute made in the fifth year of queen* Elizabeth, *prohibiting the use of certain trades by any person who hath not served as an apprentice to such trade for the space of seven years: for remedy whereof be it enacted by the King's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same,* That all such officers, mariners, soldiers, and marines, who have been at any time employed in the service of his late Majesty, or of his present Majesty, since the twenty-ninth day of *November*, in the year of our Lord one thousand seven hundred and forty-eight, and have not since deserted the said service; and also the wives and children of such officers, mariners, soldiers, and marines; may set up and exercise such trades as they are apt and able for, in any town or place within the kingdoms of *Great Britain* and *Ireland*, without any let, suit or molestation, of any person or persons whatsoever, for or by reason of the using of such trade; nor shall such officers, mariners, soldiers, or marines, or their wives or children, during the time they shall exercise such trades, be removeable from such respective place or places, to his, her, or their last legal place of settlement, by virtue of any law now in being relative to the settlement of the poor, until such person or persons shall become actually chargeable to such parish or place; and if any such officer or officers, mariner or mariners, soldier or soldiers, marine or marines, or the wife or child of any such officer, mariner, soldier, or marine, who shall be sued, impleaded, or indicted in any court whatsoever, within this kingdom for using or exercising any such trades as aforesaid, then the said officer or officers, mariner

5 *Eliz.*

Officers, mariners, soldiers, and marines, who have been at any time employed in the King's service since 29. *Nov.* 1748, and have not since deserted, and also the wives and children of such, are authorized to set up and exercise trades within any parts of *Great Britain* or *Ireland*, without lett;

and without being liable to be removed from thence to their last

legal place of settlement, until they become actually chargeable to the parish;

mariner or mariners, ſoldier or ſoldiers, marine or marines, or any wife or child of any ſuch officer, mariner, ſoldier, or marine, making it appear to the ſame court, where they are ſo ſued, impleaded, or indicted, that they have ſerved his late or preſent Majeſty as aforeſaid, or that he, ſhe, or they, is or are the wife or wives, child or children, of ſuch officer or officers, mariner or mariners, ſoldier or ſoldiers, marine or marines, who ſhall have ſo ſerved his late or preſent Majeſty, ſhall, upon the general iſſue

and if ſued, upon pleading the general iſſue, they ſhall be acquitted,

pleaded, be found not guilty in any plaint, bill, information or indictment, exhibited againſt them; and ſuch perſons who notwithſtanding this act, ſhall proſecute the ſaid ſuit, by bill, plaint, information, or indictment, and ſhall have a verdict paſs againſt him, or become nonſuit therein, or diſcontinue their ſaid ſuit, ſuch perſon or perſons ſhall pay unto ſuch officer or officers, mariner or mariners, ſoldier or ſoldiers, marine or marines, or the wife or child of ſuch officer, mariner, ſoldier, or marine,

and be paid double coſts of ſuit.

reſpectively, double coſts of ſuit, to be recovered as any other coſts at common law may be recovered; and all judges and jurors, before whom any ſuch ſuit, information, or indictment, ſhall be brought, and all other perſons whatſoever, are to take notice of this preſent act, and ſhall conform themſelves thereto; any ſtatute, law, ordinance, cuſtom, or proviſion, to the contrary in any wiſe notwithſtanding.

Where any two juſtices for the county or place where they ſhall ſo ſet up, ſhall ſummon them to give evidence as to the place of their laſt legal ſettlement,

II. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful for any two or more juſtices of the peace for the county, town, or place, where any ſuch officer, mariner, ſoldier, or marine, ſhall ſet up and exerciſe any trade as aforeſaid, to cauſe ſuch officer, mariner, ſoldier, or marine, to be ſummoned before them in the town or place where ſuch officer, mariner, ſoldier, or marine, ſhall ſet up and exerciſe ſuch trade as aforeſaid, in order to make oath of the place of his laſt legal ſettlement (which oath the ſaid juſtices are hereby impowered to adminiſter) and ſuch officer, mariner, ſoldier, or marine,

they ſhall make oath accordingly;

are hereby directed to obey ſuch ſummons, and to make oath accordingly; and ſuch juſtices are hereby required to give an atteſted copy of ſuch affidavit ſo made before them, to the perſon making the ſame, in order that he may produce it when required;

an atteſted copy whereof ſhall be given them, which ſhall be admitted as evidence at the quarter ſeſſions;

which atteſted copy ſhall at any time be admitted as evidence as to ſuch laſt legal ſettlement, before any of his Majeſty's juſtices of the peace at any general or quarter ſeſſions of the peace.

and if ſummoned again, they ſhall not be obliged to take a freſh oath, but produce the former, or leave a copy thereof.

III. Provided always, That in caſe any ſuch officer, mariner, ſoldier, or marine, ſhall again be ſummoned to make oath as aforeſaid, then on ſuch atteſted copy of the oath by him formerly taken being produced by him or by any other perſon on his behalf, ſuch officer, mariner, ſoldier, or marine, ſhall not be obliged to take any other or further oath with regard to his legal ſettlement, but ſhall leave a copy of ſuch atteſted copy of his examination, if required.

Privileges of the two univerſities reſerved.

IV. Provided always, That this act ſhall not in any wiſe be prejudicial to the privileges of the univerſities of *Cambridge* and *Oxford*, or either of them; or extend to give liberty to any perſon to

to ſet up the trade of a vintner, or to ſell any wine or other liquors within the ſaid univerſities without licence firſt had and obtained from the vice-chancellor of the ſame reſpectively.

CAP. IX.

An act for granting annuities to ſatisfy certain navy, victualling, and tranſport bills, and ordnance debentures; and for charging the payment of ſuch annuities on the ſinking fund; and making good the ſame to the ſaid fund, in manner therein mentioned.

Moſt gracious ſovereign,

Preamble.

WE, *your Majeſty's moſt dutiful and loyal ſubjects, the commons of* Great Britain, *in parliament aſſembled, have taken into our ſerious conſideration, that notwithſtanding the great ſupplies which have been granted for carrying on the war, ſeveral debts and deficiencies remain unprovided for, particularly upon account of bills payable in courſe of the navy and victualling offices, and for tranſports, made out on or before the thirty-firſt day of* December, *one thouſand ſeven hundred and ſixty two, to the amount of three millions ſeventy five thouſand three hundred and ſixteen pounds, and three pence; and upon account of debentures payable out of the office of ordnance, which were dated on or before the ſaid thirty-firſt day of* December, *one thouſand ſeven hundred and ſixty-two, amounting to five hundred ninety five thouſand four hundred and twenty-three pounds, two ſhillings, and five pence: and your Majeſty's faithful commons being fully ſenſible how highly it concerns the honour of your Majeſty's government, and the publick credit of this kingdom, that the earlieſt poſſible proviſion ſhould be made for diſcharging thoſe debts, and ſupplying thoſe deficiencies which have been contracted and incurred in the proſecution of the late hazardous and expenſive, but no leſs glorious and ſucceſsful war, have reſolved, in order to make proviſion for ſatisfying all ſuch bills and debentures, to give and grant unto your Majeſty ſuch ſupply as is herein after mentioned, for paying (in lieu of all other intereſt) an intereſt or annuity after the rate of four pounds* per centum per annum, *by half yearly payments, to commence from the twenty-fifth day of* March, *one thouſand ſeven hundred and ſixty-three, for and in reſpect of the ſums payable on the ſaid navy, victualling, and tranſport bills, and the intereſt thereupon, and alſo for the ſums payable on the ſaid debentures, until ſuch annuities ſhall be redeemed and paid off, in manner herein after mentioned; and do therefore moſt humbly beſeech your Majeſty that it may be enacted; and be it enacted by the King's moſt excellent majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame,* That the annuities which by this act ſhall be granted and made payable, for and in reſpect of the bills payable in courſe of the navy and victualling offices, and for tranſports, and for the debentures payable out of his Majeſty's office of ordnance, which were reſpectively made out or dated on or before the thirty-firſt day of *December*, one thouſand ſeven hundred and ſixty-two, until the redemption of ſuch annuities by par-

Annuities granted by this act.

parliament in manner hereafter mentioned, ſhall, from and after the twenty-fifth day of *March*, one thouſand ſeven hundred and ſixty-three, be charged and chargeable upon, and payable out of the monies, which from and after the ſaid twenty-fifth day of *March*, one thouſand ſeven hundred and ſixty-three, ſhall, from time to time, ariſe and be in the receipt of his Majeſty's exchequer, of or for the ſurpluſſes, exceſſes, or overplus monies, commonly called the *ſinking fund* (after paying or reſerving ſufficient to pay all ſuch ſums of money, as have been directed by any former act or acts of parliament, to be paid out of the ſame) and that the ſums ſo iſſued out of the ſaid monies commonly called the *ſinking fund*, ſhall be, from time to time, replaced and made good out of the next aids to be granted in parliament, in ſuch manner as is herein after mentioned.

payable out of the ſinking fund.

The money to be replaced out of the next aids.

II. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for any perſon or perſons, natives, or foreigners, bodies politick, or corporate, who ſhall be poſſeſſed of, intereſted in, or entituled unto, any bill or bills, payable in courſe out of his Majeſty's offices of the navy or victualling, or for tranſports, or any debenture or debentures payable out of his Majeſty's office of ordnance, which were reſpectively made out or dated in the ſaid reſpective offices, on or before the thirty-firſt day of *December*, one thouſand ſeven hundred and ſixty-two, to deliver ſuch bill or bills, debenture or debentures, to the reſpective treaſurers of the ſaid offices, to be marked, cancelled, and certified, in ſuch manner as is herein after mentioned, at any time on or before the twenty-fifth day of *March*, one thouſand ſeven hundred and ſixty-three, and at ſuch place or places as ſhall have been appointed, by notice given in the *London Gazette*, and other publick papers, for that purpoſe.

The bills or debentures to be delivered to the treaſurers of the reſpective offices, on or before 25 *March*, 1763.

III. Provided always, and be it further enacted by the authority aforeſaid, That the intereſt which ſhall become due on the ſaid twenty-fifth day of *March*, one thouſand ſeven hundred and ſixty-three, for and in reſpect of ſuch of the ſaid navy, victualling, and tranſport bills, as bear an intereſt, ſhall be computed and marked upon the ſaid bills, at the navy or victualling office reſpectively, before the ſame are delivered to the treaſurer of his Majeſty's navy; and the proper officer and officers of his Majeſty's navy office, and victualling office reſpectively, is and are hereby authorized and required, to compute and mark the intereſt as aforeſaid, upon e ery ſuch bill, which ſhall be tendered to him or them for that purpoſe.

and the intereſt upon the navy, victualling, and tranſport bills, is to be marked at the proper offices, before delivery thereof to the treaſurer of the navy;

IV. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for the treaſurer of his Majeſty's navy for the time being, to take in and receive from all and every perſon or perſons, natives or foreigners, bodies politick or corporate, who is, are, or ſhall be, poſſeſſed of, intereſted in, or intituled unto, any ſuch navy, victualling or tranſport bills, all the ſaid bills, which any ſuch perſon or perſons, bodies politick or corporate, ſhall, on or before the ſaid twenty-

and the bills ſo delivered in are to be marked and cancelled by him;

fifth

fifth day of *March*, one thouſand ſeven hundred and ſixty-three, deliver to ſuch treaſurer; and the ſaid treaſurer, or his pay-maſter and caſhier, is and are hereby authorized and required to mark and cancel every ſuch bill; and certify the ſame, together with the amount of the intereſt which ſhall have been computed and marked as aforeſaid upon ſuch of the ſaid bills as bear an intereſt, to the governor and company of the bank of *England*; and that it alſo ſhall and may be lawful to and for the treaſurer of his Majeſty's office of ordnance in like manner to take in all ſuch debentures payable out of the ſaid office of ordnance, which, on or before the ſaid twenty-fifth day of *March*, one thouſand ſeven hundred and ſixty-three, ſhall be delivered to him; and the ſaid laſt mentioned treaſurer, or his deputy, is hereby authorized and required to cancel the ſame, and certify every ſuch debenture to the ſaid governor and company of the bank of *England*.

and certified, together with the intereſt, to the bank.

Treaſurer of the ordnance office to cancel the debentures in like manner, and certify the ſame to the bank.

V. And be it further enacted by the authority aforeſaid, That all and every perſon and perſons, bodies politick and corporate, who ſhall deliver any ſuch bill or bills, debenture or debentures, to the ſaid reſpective treaſurers as aforeſaid, ſhall, for the principal ſum or ſums contained in every ſuch bill or bills, and alſo for the intereſt which ſhall have been computed and marked as aforeſaid upon ſuch of the ſaid bills as bear an intereſt, and alſo for the principal ſum or ſums contained in every ſuch debenture or debentures, be reſpectively intituled to, and have an annuity after the ſaid rate of four pounds *per centum per annum*, to commence from the ſaid twenty-fifth day of *March*, one thouſand ſeven hundred and ſixty-three, and to be paid and payable to ſuch perſon or perſons, bodies politick or corporate, or ſuch as he, ſhe, or they ſhall appoint, his, her, or their executors, adminiſtrators, ſucceſſors, or aſſigns reſpectively, until the redemption thereof by parliament, in manner herein after mentioned; which ſaid annuity ſhall be payable half-yearly at two of the moſt uſual days of payment in the year (that is to ſay) the twenty-ninth day of *September*, and the twenty-fifth day of *March*; the firſt payment thereof to become due on the twenty-ninth day of *September*, one thouſand ſeven hundred and ſixty-three; and that all perſons and corporations intituled to any ſuch annuity or annuities aforeſaid, and his, her, and their adminiſtrators, ſucceſſors, and aſſigns reſpectively, and all perſons and corporations lawfully claiming under him, her, or them, ſhall have good, ſure, abſolute, and indefeaſable eſtates and intereſts in the ſaid annuities, according to the tenor and true meaning of this act, and ſhall be poſſeſſed thereof as of a perſonal eſtate, which ſhall not be deſcendable to heirs, nor liable to any foreign attachment by the cuſtom of *London*, or otherwiſe; any law, cuſtom, or uſage to the contrary notwithſtanding; and that all the ſaid annuities ſhall be free from all taxes, charges, and impoſitions whatſoever.

Proprietors of the ſaid bills and debentures intitled to an annuity thereon, after the rate of 4*l.* per cent. per ann. to commence 25 March, 1763;

and to be paid half-yearly; viz. on 29 Sept. and 25 March:

the ſame to be deemed a perſonal eſtate;

and to be tax-free.

VI. And be it further enacted by the authority aforeſaid, That upon the delivering in of every ſuch navy, victualling, or tranſport

The reſpective treaſurers of the navy and

ordnance are to give certificates for the principal ſums in the ſaid bills and debentures, and for the intereſt due on 25 March, 1763.

tranſport bill, by any perſon or perſons, bodies politick or corporate, the treaſurer of his Majeſty's navy, or his paymaſter and caſhier, ſhall, and they are hereby authoriſed and required forthwith to give a certificate ſigned by him or them, for the principal ſum or ſums contained in every ſuch bill; and alſo for the intereſt which ſhall have been computed and marked as aforeſaid, to be due on the ſaid twenty-fifth day of *March*, one thouſand ſeven hundred and ſixty-three, upon ſuch of the ſaid bills as bear an intereſt, to ſuch perſon or perſons, bodies politick or corporate, or his, her, or their aſſigns; and that upon the delivering in by any perſon or perſons, bodies politick or corporate, of every ſuch debenture or debentures, the treaſurer of his Majeſty's office of ordnance, or his deputy, ſhall, and they are hereby authorized and required forthwith to give a certificate ſigned by the ſaid treaſurer or deputy, for the principal ſum or ſums contained in every ſuch debenture, to ſuch perſon or perſons, bodies politick or corporate, or his, her, or their aſſigns; and all ſuch certificates ſhall be aſſignable by indorſement thereupon made at any time before the twenty-ninth day of *September*, one thouſand ſeven hundred and ſixty-three, and no longer; and all ſuch certificates and aſſignments thereupon ſhall not be charged with any ſtamp duties whatſoever; and that the intereſt ſo computed and marked on every ſuch bill bearing intereſt as aforeſaid, ſhall be added to the principal ſum contained in every ſuch bill, and the amount of ſuch principal and intereſt, or the amount of the ſum contained in every ſuch bill not bearing intereſt, and in every ſuch debenture reſpectively certified in manner before directed, ſhall be the principal ſums for which the perſon or perſons, bodies politick or corporate, delivering ſuch bills or debentures, ſhall be intituled to an annuity after the ſaid rate of four pounds *per centum per annum*.

which may be aſſigned by indorſement at any time made before 29 Sept. 1763.

Principal and intereſt to be added together, and made one ſum of in the bills and debentures.

Guardians and truſtees to deliver up for infants, ſuch bills or debentures as they are intituled to, in conſideration of the ſaid annuity.

VII. Provided alſo, and be it further enacted by the authority aforeſaid, That if any infants ſhall, by the gift, deviſe, or deceaſe of the parent or other relation of ſuch infants, or otherwiſe, become intituled to any of the ſaid bills or debentures, in ſuch caſe the guardian or guardians, truſtee or truſtees of ſuch infant or infants, ſhall or may be, and he, ſhe, or they is or are hereby impowered, for the benefit of ſuch infant or infants, to deliver up to ſuch reſpective treaſurers all ſuch of the ſaid bills or debentures to which ſuch infant or infants ſhall be ſo intituled; and ſuch infant and infants, guardian or guardians, truſtee or truſtees, delivering up ſuch bills or debentures, ſhall be intituled to ſuch an annuity as aforeſaid; and the ſaid guardian or guardians, truſtee or truſtees, ſhall be diſcharged from the ſame; any thing herein contained, or any law, uſage, or cuſtom to the contrary in any wiſe notwithſtanding.

Executors and truſtees of ideots to deliver up, in like manner, ſuch bills or

VIII. Provided alſo, and be it further enacted by the authority aforeſaid, That any perſon or perſons who, as executor to, or adminiſtrator, truſtee, committee of an ideot or lunatick, or perſons of unſound mind, depoſitary or mortgagee, ſhall be or become poſſeſſed of, intereſted in, or intituled unto any

any of the ſaid bills or debentures, ſhall and may deliver up ſuch bills or debentures as they ſhall be ſo poſſeſſed of, intereſted in, or intituled unto, ſuch reſpective treaſurers as aforeſaid; and as to executors or adminiſtrators, the annuities which they ſhall be intituled to in reſpect of the ſaid bills or debentures ſo by them delivered up, ſhall be the ſame aſſets in their hands, as the ſaid bills or debentures were, or would have been, had they not been ſo delivered up for ſuch annuity as aforeſaid; and as to truſtees, committees, depoſitaries, and mortgagees, the annuity which they ſhall be intituled unto for or in reſpect of ſuch truſt, or mortgaged bills or debentures, which they ſhall ſo deliver up to ſuch reſpective treaſurers as aforeſaid, ſhall be ſubject and liable to the ſame truſts and equity of redemption, as ſuch bills or debentures were, or would have been, had they not been ſo delivered up for ſuch annuity as aforeſaid.

debentures as they are thereby reſpectively intituled to; the annuities to be the ſame aſſets,

and liable to the ſame truſts, as the bills, &c.

IX. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for the ſaid governor and company of the bank of *England*, and their ſucceſſors, or ſuch perſon or perſons as they ſhall appoint for that purpoſe, and he and they is and are hereby reſpectively authorized and required to take in and receive all and every of the certificates to be made out in lieu of the ſaid bills and debentures as aforeſaid, in purſuance of the directions of this act; and upon the receipt of every ſuch certificate ſhall, and he and they is and are hereby required forthwith to give credit in a book or books to be prepared for that purpoſe, for the principal ſums contained in every ſuch certificate ſo brought to him or them as aforeſaid; and the perſons, bodies politick or corporate, to whoſe credit ſuch principal ſums ſhall be entered in the ſaid book or books, his, her or their executors, adminiſtrators, or aſſigns, ſhall and may have power to aſſign and transfer the ſame, or any part, ſhare, or proportion thereof to any other perſon or perſons, bodies politick or corporate whatſoever, in other books to be prepared and kept for that purpoſe; and the ſaid governor and company for the time being ſhall alſo, on or before the twenty-fourth day of *June*, one thouſand ſeven hundred and ſixty-four, tranſmit an atteſted duplicate fairly written on paper, of the ſaid book or books firſt herein before mentioned, into the office of the auditor of the receipt of his Majeſty's exchequer, there to remain for ever.

Bank to take in the certificates,

and give credit in proper books for the ſums contained therein,

which may be transferred.

Duplicate of the ſaid book to be tranſmitted into the office of the auditor of the exchequer.

X. And, for the more eaſy and ſure payment of the annuities eſtabliſhed by this act; it is hereby further enacted by the authority aforeſaid, That the ſaid governor and company of the bank of *England*, and their ſucceſſors, ſhall, from time to time, until the ſaid annuities ſhall be redeemed according to this act, appoint and employ one or more ſufficient perſon or perſons within their office in the city of *London*, to be their chief or firſt caſhier or caſhiers, and one other ſufficient perſon within the ſame office to be their accomptant-general; and that ſo much of the monies from time to time, and at any time, ariſing or being

Bank to appoint one or more chief caſhiers,

and an accomptant-general.

ing in the receipt of the exchequer of or for the ſurpluſſes, exceſſes, or overplus monies commonly called *The Sinking Fund*, as ſhall be ſufficient from time to time to anſwer the half-yearly payments of the ſaid annuities, and other payments directed by this act to be made, ſhall (after paying or reſerving ſufficient to pay all ſuch ſums of money, as, before the paſſing of this act, ſhall have been directed by any other act or acts of parliament to be paid out of the ſaid fund) by order of the commiſſioners of the treaſury, or any three or more of them, or the high treaſurer for the time being, without any further or other warrant, to be ſued for, had, or obtained in that behalf, be iſſued and paid at the ſaid receipt of exchequer, to the ſaid firſt or chief caſhier or caſhiers of the ſaid governor and company of the bank of *England*, and their ſucceſſors for the time being, by way of impreſt, and upon account, for the payment of the ſaid annuities; and that ſuch caſhier or caſhiers to whom the ſaid monies ſhall, from time to time, be iſſued, ſhall, from time to time, without delay, apply and pay the ſame accordingly, and render his or their accounts thereof, according to the due courſe of the exchequer.

Treaſury to iſſue the monies out of the ſinking fund for payment of the ſaid annuities, to the ſaid chief caſhier

by way of impreſt,

who is to pay the ſame accordingly.

Accomptant-general to inſpect all receipts and payments.

XI. And it is hereby alſo enacted, That the ſaid accomptant-general for the time being, ſhall, from time to time, inſpect and examine all receipts and payments of the ſaid caſhier or caſhiers, and the vouchers relating thereunto, in order to prevent any fraud, negligence, or delay.

Monies converted into the annuities to be deemed one capital or joint ſtock, carrying 4l. per cent intereſt, transferrable.

XII. And be it further enacted by the authority aforeſaid, That all the monies intended to be converted into annuities by virtue of this act, ſhall be deemed, reputed, and taken to be, one capital or joint ſtock, on which the ſaid annuities, after the ſaid rate of four pounds *per centum per annum*, ſhall be attending; and that all and every perſon and perſons, and corporations whatſoever, in proportion to the money which he, ſhe, or they ſhall be intituled to as aforeſaid, ſhall have and be deemed to have a proportional intereſt and ſhare in the ſaid ſtock, and in the annuity attending the ſame, at the rate aforeſaid; and that the ſaid whole capital or joint ſtock, or any ſhare or intereſt therein, and the proportional annuity attending the ſame, ſhall be aſſignable and transferrable as this act directs, and not otherwiſe; and that there ſhall conſtantly be kept in the office of the ſaid accomptant-general for the time being within the city of *London*, a book or books, wherein all aſſignments or transfers of the ſaid whole capital or joint ſtock, or any part thereof, and the proportional annuity attending the ſame, at the rate aforeſaid, ſhall be entered and regiſtered; which entries ſhall be conceived in proper words for that purpoſe, and ſhall be ſigned by the parties making ſuch aſſignments or transfers; or, if any ſuch party or parties be abſent, by his, her, or their attorney or attornies thereunto lawfully authorized, by writing under his, her, or their hands and ſeals, to be atteſted by two or more credible witneſſes; and that the perſon or perſons to whom

Aſſignments and transfers to be entered and ſigned,

whom ſuch transfer ſhall be made, ſhall reſpectively underwrite his, her, or their acceptance thereof; and that no other method of aſſigning or transferring the ſaid ſtock, and the annuities attending the ſame, or any part thereof, or any intereſt therein, ſhall be good and available in law; and that no ſtamp duties whatſoever ſhall be charged on the ſaid transfers, or any of them.

and to be free of ſtamp duties.

XIII. Provided always, That all perſons poſſeſſed of any ſhare or intereſt in the ſaid joint ſtock of annuities, or any eſtate or intereſt therein, may deviſe the ſame by will in writing, atteſted by two or more credible witneſſes; but that no payment ſhall be made upon any ſuch deviſe, until ſo much of the ſaid will as relates to ſuch eſtate, ſhare or intereſt, be entered in the ſaid office; and that in default of ſuch transfer or deviſe, ſuch ſhare, eſtate, or intereſt, ſhall go to the executors, adminiſtrators, ſucceſſors, and aſſigns.

Annuities may be deviſed by will.

Will to be entered.

XIV. Provided alſo, and it is hereby further enacted by the authority aforeſaid, That the ſaid governor and company of the bank of *England*, and their ſucceſſors (notwithſtanding the redemption of all or any of their own funds in purſuance of the acts for eſtabliſhing the ſame, or any of them) ſhall continue a corporation for the purpoſes of this act, till all the ſaid annuities ſhall be redeemed by parliament; and the ſaid governor and company, or any member thereof, ſhall not incur any diſability for or by reaſon of his or their doing any matter or thing in purſuance of this act.

Bank to continue a corporation till redemption of the annuities, &c.

XV. And it is hereby enacted by the authority aforeſaid, That no fee, reward, or gratuity whatſoever, ſhall be demanded or taken for computing and marking the intereſt on the ſaid bills, or for receiving, taking in, or cancelling, the ſaid bills or debentures, or any of them, or for granting certificates in lieu thereof, as aforeſaid, or for iſſuing the monies for paying the ſaid annuities, or any of them, or for any transfer of any ſum, great or ſmall, to be made in purſuance of this act, upon pain that any officer or perſon offending, by taking or demanding any fee, reward, or gratuity, contrary to this act, ſhall, for every offence, forfeit the ſum of twenty pounds to the party grieved; to be recovered with full coſts of ſuit, by action of debt, bill, plaint, or information, in any of his Majeſty's courts of record at *Weſtminſter*, wherein no eſſoin, protection, privilege, or wager of law, injunction, or order of reſtraint, or any more than one imparlance, ſhall be granted or allowed.

No fee to be taken for any matter neceſſary to be done,

on penalty of 20l.

XVI. Provided always, and be it enacted by the authority aforeſaid, That the commiſſioners of the treaſury, or any three or more of them now being, or the high treaſurer, or any three or more of the commiſſioners of the treaſury for the time being, ſhall have power, and they are hereby authorized to reward all ſuch perſons as ſhall be any ways employed in the execution of this act, for their ſervice, pains, and labour, and alſo to defray ſuch incident charges as ſhall neceſſarily attend the ſame, out

Treaſury authorized to give rewards to perſons employed, and to pay incident charges, &c.

of the ſaid ſurpluſſes, exceſſes, or overplus monies; and alſo to appoint ſuch allowances as they ſhall think proper, out of the ſaid ſurpluſſes, exceſſes, or overplus monies, for the ſervice, pains, and labour, of the caſhier or caſhiers of the ſaid governor and company of the bank of *England*, for receiving, paying, and accounting for the ſaid annuities, made payable by this act; and alſo for the ſervice, pains, and trouble, of the accomptant general of the ſaid governor and company, for performing the duty and truſt incumbent on him by this act; all which allowances hereby impowered to be made as aforeſaid, in reſpect to the ſervice, pains, and labour, of any officer or officers of the ſaid governor and company of the bank of *England*, ſhall be for the uſe and benefit of the ſaid governor and company, and at their diſpoſal only; any thing herein contained to the contrary notwithſtanding.

Allowances in reſpect of the officers of the bank, to be at the diſpoſal of the governor and company.

Money iſſued for the purpoſes of this act out of the ſinking fund, to be replaced out of the next ſupplies.

XVII. And be it further enacted by the authority aforeſaid, That the ſeveral ſums of money which ſhall, from time to time, be iſſued and applied by virtue of this act, out of the ſaid monies compoſing the ſaid fund, commonly called *The Sinking Fund*, for payment of the ſaid annuities, and for rewards, incident charges, allowances, and in diſcharge of any other expences hereby authorized to be paid, ſhall, from time to time, be made good, and replaced by and out of the ſupplies to be granted in the next ſeſſion of parliament, after ſuch iſſues and applications ſhall be reſpectively made.

Clauſe of redemption.

XVIII. Provided always, and be it enacted by the authority aforeſaid, That at any time upon ſix months notice to be printed in the *London Gazette*, and affixed upon the *Royal Exchange* in *London*; and upon repayment, by parliament, of the principal ſum for which the ſaid annuities are eſtabliſhed (by payments not being leſs than five hundred thouſand pounds at one time) in ſuch manner as ſhall be directed by any future act or acts of parliament in that behalf; and alſo upon full payment of all arrearages of the ſame annuities; then, and not till then, ſuch and ſo much of the ſaid annuities as ſhall be attending on the principal ſums ſo paid off, ſhall ceaſe and determine, and be underſtood to be redeemed; and that any vote or reſolution of the houſe of commons, ſignified by the ſpeaker in writing, to be inſerted in the *London Gazette*, and affixed on the *Royal Exchange* in *London*, as aforeſaid, ſhall be deemed and adjudged to be ſufficient notice within the words and meaning of this act.

Limitation of actions.

General iſſue.

XIX. And be it further enacted by the authority aforeſaid, That if any perſon or perſons ſhall, at any time or times, be ſued, moleſted, or proſecuted, for any thing by him or them done or executed in purſuance of this act, or of any matter or thing therein contained, ſuch perſon or perſons ſhall and may plead the general iſſue, and give the ſpecial matter in evidence for his and their defence; and if a verdict ſhall paſs for the defendant or defendants, or the plaintiff or plaintiffs ſhall diſcontinue his or their action, or be nonſuited, or judgment ſhall be given

given againſt him or them, upon demurrer, or otherwiſe, then ſuch defendant or defendants ſhall have treble coſts to him or them awarded againſt ſuch plaintiff or plaintiffs. Treble coſts.

CAP. X.

An act for applying the money granted in this ſeſſion of parliament, for defraying the charge of the pay and clothing of the militia of that part of Great Britain *called* England, *for one year, beginning the twenty fifth day of* March, *one thouſand ſeven hundred and ſixty three, and for appointing a time and place for exerciſing the militia in the ſaid year.*

WHEREAS *the ſum of one hundred and fifty thouſand pounds, has been granted to his Majeſty, for defraying the charge of pay and clothing for the militia, for one year, from the twenty fifth day of* March, *one thouſand ſeven hundred and ſixty three: in order therefore that the charge of pay and clothing for ſuch militia may be duly and properly defrayed and ſatisfied*; be it enacted by the King's moſt excellent majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That in every county, riding, or place, within that part of *Great Britain* called *England*, where the militia is or ſhall be raiſed, the receiver or receivers general of the land tax, of ſuch county, riding, or place reſpectively, ſhall iſſue and pay the whole ſums required, in the manner and for the ſeveral uſes herein after mentioned; that is to ſay, for the pay of the ſaid militia for four calendar months in advance, at the rate of ſix ſhillings a day for each adjutant, where an adjutant is appointed; and at the rate of one ſhilling for each ſerjeant, with the addition of two ſhillings and ſix pence a week for each ſerjeant-major, where a ſerjeant-major is appointed; and at the rate of ſixpence a day for each drummer, with the addition of ſix pence a day for each drum-major, where a drum-major is appointed; and alſo at the rate of ſix pence a month for each private man and drummer, for defraying the contingent expences of each regiment, battalion, or independent company of militia, one penny whereof ſhall be applied to defraying the hoſpital expences of each regiment, battalion, or independent company, during the time of the mens being from home, upon account of their annual exerciſe; and alſo for half a year's ſalary for the clerk of each regiment or battalion of militia belonging to ſuch county, riding, or place, at the rate of fifty pounds a year; and alſo for the reſpective allowances to the clerk of the general meetings, and clerks of the ſeveral ſubdiviſion meetings, at the rates following; that is to ſay, to the clerk of the general meetings, at the rate of five pounds five ſhillings for each meeting; and to the ſeveral clerks of the ſubdiviſion meetings, at the rate of one pound one ſhilling for each meeting; and alſo for the cloathing of the militia for ſuch county, riding, or place, after the rate of three pounds ten ſhillings for each ſerjeant, and

Where the militia is or ſhall be raiſed, the receiver-general of the county is to iſſue 4 months pay in advance, according to the eſtabliſhment of pay here ſet down;

with half a year's ſalary to the regimental and battalion clerks;

and the allowances to the clerks of the general and ſubdiviſion meetings;

and pay for cloathing of the militia.

two pounds for each drummer, with the addition of one pound for each ſerjeant-major, and each drum-major; and with reſpect to the private militia men, where the militia hath been embodied, or having not been embodied, hath not been cloathed within three years, at the rate of one pound ten ſhillings for each private man.

The above ſums are not to be paid, if pay has not before been iſſued, till the lord lieut. or deputies ſhall have certified to the treaſury and receivers general the inrolment of three fifths of the men and officers.

II. Provided nevertheleſs, That in any county, riding, or place, where pay has not been yet iſſued for the militia, no pay ſhall be iſſued until his Majeſty's lieutenant, or, in his abſence, any three deputy lieutenants, of any ſuch county, riding, or place, ſhall have certified to the commiſſioners of his Majeſty's treaſury, and to the receiver-general of the land tax, that three fifths of the number of private militia men of ſuch county, riding, or place, have been inrolled, and that three fifths of the proportion of their commiſſion officers have accepted their commiſſions, and entered their qualifications as by law required.

The money is to be paid by the receiver general to the clerk of the regiment or battalion (except the allowances to the clerks of the meetings) upon producing the warrant of his appointment;

and for independent companies, to the reſpective captains, or to their order;

according to the eſtabliſhment laid down in the mititia act of the laſt ſeſſion.

A ſecond payment is alſo to be made within three months after the firſt;

III. And be it enacted, That all ſuch ſums of money aforeſaid, except ſuch as ſhall be due to the ſeveral clerks of the meetings aforeſaid, ſhall, where the militia has never been embodied, be paid by the ſaid receiver or receivers-general of the land tax, into the hands of the clerk or clerks of the regiments or battalions of militia belonging to ſuch county, riding, or place, upon his or their producing his or their warrant or warrants of appointment to ſuch office, under the hand and ſeal of his Majeſty's lieutenant for ſuch reſpective county, riding, or place; and where the militia has been embodied, into the hands of the clerk or clerks of the regiments or battalions, upon his or their producing his or their warrant or warrants of appointment to ſuch office, under the hand and ſeal of the colonel, or, where there is no colonel, of the commanding officer of each regiment or battalion reſpectively, notwithſtanding ſuch militia ſhall have been diſembodied; and where the militia ſhall be formed into an independent company, or independent companies, ſuch ſums as aforeſaid ſhall be paid by the ſaid receiver or receivers-general of the land tax, into the hands of the reſpective captain of each independent company of militia, or to ſuch perſon as ſuch reſpective captain ſhall authorize to receive the ſame, according to the number of perſons hereby intituled to receive pay and cloathing, of which ſuch regiment or regiments, battalion or battalions independent company or independent companies, ſhall have been appointed to conſiſt, according to the eſtabliſhment laid down in an act paſſed in the laſt ſeſſion of parliament, intituled, *An act to explain, amend, and reduce into one act of parliament, the ſeveral laws now in being relating to the raiſing and training the militia within that part of* Great Britain *called* England; and ſuch receiver or receivers-general of the land tax ſhall alſo, within fourteen days after the expiration of the third calendar month from the time of the ſaid firſt payment,

payment, make a ſecond payment for four calendar months in advance; and ſhall alſo, within fourteen days after the expiration of the third calendar month from the time of the ſaid ſecond payment, make a third payment for four calendar months in advance, for the pay and contingent expences of the militia, and for the allowances to the regimental or battalion clerk or clerks aforeſaid, in the proportions herein before mentioned; and the receipts of ſuch clerk or clerks, and of ſuch captain of an independent company or captains of independent companies, or of ſuch perſon or perſons as ſuch captain or captains ſhall ſo authorize to receive ſuch money as aforeſaid, ſhall be a ſufficient diſcharge to ſuch receiver or receivers-general of the land tax for the ſeveral ſums of money ſo by him or them paid.

and a third within three months after the ſecond.

receipts of the perſons to whom the money ſhall be ſo paid, diſcharge the receivers general.

IV. And be it enacted, That the clerk of each regiment or battalion of militia ſhall forthwith, after the receipt of ſuch ſums of money as aforeſaid, pay, or cauſe to be paid, one calendar month's pay in advance to the adjutant of ſuch regiment or battalion reſpectively, and to the captain or commanding officer of each company belonging to ſuch regiment or battalion two months pay in advance for the ſerjeants, drummers, and the contingent expences of his reſpective company; out of which ſaid contingent money each captain ſhall pay to the commanding officer of each regiment or battalion one penny a month for each private man and drummer, for the defraying the expences of the hoſpital; and alſo to the commanding officer of the company to which the ſerjeant-major and drum-major ſhall belong, two months pay in advance for ſuch ſerjeant and drum-major; and ſo from time to time ſo long as any money on that account ſhall remain in his hands: which pay every ſuch captain or commanding officer is hereby required to diſtribute to each perſon belonging to his company, by this act intituled to receive the ſame, as it ſhall become due; and ſhall, once in every year, give in to the clerk of the regiment or battalion to which ſuch company ſhall belong, or, if captain of an independent company, to the receiver-general, an account of the ſeveral payments he ſhall have made in purſuance of this act, according to the following form:

The regimental and battalion clerks are to pay in advance one month's pay to the adjutant; and 2 months pay to each captain, for the ſerjeants, drummers, and contingent expences of the ſaid company; captain to pay for each man 1 d. per month out of the contingent money, towards charges of the hoſpital; and for the ſerjeant-major and drum-major; to be paid to the

commanding officer of the company to which they belong: captains to diſtribute the pay accordingly; and account for the ſame yearly to the clerk or receiver general, if an independent company, according to the following form;

County of Dr.	£.	s.	d.	*Per Contra* Cr.	£.	s.	d.
To caſh received of Mr. regimental or battalion clerk, or receiver-general, *as the caſe ſhall be*, for two months pay in advance.				Paid ſerjeant for days pay from the of to the of following —— ——			
				Ditto as ſerjeant-major (if one in the company)			
				Paid ſerjeant for days pay from the of to the of following —— ——			
				Paid drummer days at 6 *d.* from the of to the of following —— ——			
				Ditto as drum-major (if one in the company)			
				Paid drummer days from the of to the of following			
				Two months contigencies for men and two drummers at 6 *d* *per* month each ——			

and pay back the ſurplus monies in his hands, except the contingent expences, which is to be accounted for, and applied to the general uſe of the regiment, &c.

And ſhall pay back to the ſaid clerk, or to the receiver-general, as the caſe ſhall be, the ſurplus (if any) of the money by him from time to time received, and then remaining in his hands (except the money by this act allowed for contingent expences) which ſhall once in every year be accounted for by the captain of each company reſpectively, in manner aforeſaid, and the balance thereof ſhall be by him paid into the hands of the clerk of the regiment or battalion to which ſuch company ſhall belong, to be applied to the general uſe of the ſaid regiment or battalion, as the field officers and captains thereof, or the greater part of them, ſhall direct; and the captain of each independent company is hereby required to diſtribute to each perſon belonging to his company intituled thereto, ſuch money as he ſhall receive by virtue of this act; and the ſaid money allowed for the contingent expences of each independent company of militia, ſhall be reſpectively applied to the particular uſe of ſuch independent company, by the captain thereof.

Captains of independent companies to diſtribute the pay to their men, and apply the money allowed for contingent expences.

Clerk to retain money in his hands for his own ſalary; and diſcharge the cloathing bills.

V. And be it enacted, That the ſaid regimental or battalion clerk, may, and ſhall retain to his own uſe out of the money ſo by him received, ſuch further ſums as ſhall complete the allowance herein before made for his ſalary; and ſuch regimental or battalion clerk ſhall pay to ſuch perſon or perſons as ſhall produce an order from the commanding officer of ſuch regiment or battalion, ſuch ſums of money as ſhall be due and owing for or on account of the cloathing of the ſaid regiments or battalions, not exceeding the rates herein before mentioned.

When the lord lieutenants or deputies ſhall

VI. And be it further enacted, That when ever his Majeſty's lieutenant, or any three or more deputy lieutenants, of any county, riding, or place, ſhall have fixed the days of exerciſe for the

the militia, he or they ſhall, as ſoon as may be, certify the ſame to the receiver-general of ſuch county, riding, or place, ſpecifying the number of men, and the number of days ſuch men are to be abſent from home on account of ſuch exerciſe; and ſuch receiver-general is hereby required, within fourteen days after the receipt of ſuch certificate, to iſſue and pay to the clerk of the ſeveral regiments or battalions, or to the captains of the independent companies, as the caſe ſhall be, at the rate of three ſhillings and ſix pence *per* day for each lieutenant, and of three ſhillings *per* day for each enſign; and alſo at the rate of one ſhilling *per* day for each private militia man, with the addition of ſix pence *per* day for each corporal of the militia, ſo to be called out to exerciſe, for the number of days ſuch officers and men ſhall be abſent from home on account of ſuch exerciſe; and the ſaid regimental or battalion clerks are hereby required forthwith to pay to each captain of the ſaid regiments or battalions, the proportion of pay belonging to their reſpective companies.

have fixed the days of exerciſe, they are to certify the ſame to the receiver-general, ſpecifying the number of men, and days they ſhall be abſent from home; receiver-general to iſſue thereupon pay for officers and men to the regimental clerk, &c.

who is to pay over the ſame to the reſpective captains.

VII. And be it further enacted, That the captain of each company ſhall make up an account of all monies received and paid by him on account of ſuch exerciſe, according to the following form:

Captains to make up their account according to the following form;

County of Dr. *Per Contra* Cr.

To caſh received of the regimental or battalion clerk, or receiver-general, *as the caſe ſhall be*, for days pay of men	£.	s.	d.	Paid militia men days	£.	s.	d.
				Paid additional pay to corporals days			

which account ſhall be ſigned by the ſaid captain, and counterſigned by the commanding officer; and ſuch captain ſhall, within ten days after the time of ſuch exerciſe, deliver ſuch account, and pay the balance, if there be any due, to the regimental or battalion clerk; or, if captain of an independent company, to the receiver-general: and ſuch accounts ſhall be allowed as ſufficient vouchers in the paſſing of the accounts of ſuch receiver-general, at the receipt of his Majeſty's exchequer.

to be ſigned by them, and counterſigned by the commanding officer, and delivered, with the balance, to the clerk,

or receiver-general. Accounts allowed ſufficient vouchers.

VIII. Provided always, and be it enacted, That where any regiment, battalion, or independent company of militia is or ſhall be embodied, and called out into actual ſervice, and thereby the officers and private militia men are or ſhall be intituled to the ſame pay, as the officers and private men in his Majeſty's other regiments of foot receive, all pay from the receiver or receivers-general of the land tax for the county, riding, or place, to which ſuch regiment, battalion, or independent company of militia ſhall belong, whether to the adjutants, ſerjeants, private militia men, or others; and all money allowed as aforeſaid for the contingent expences of ſuch regiment, battalion, or independent

During the time the troops are embodied, and called out into actual ſervice, and receive pay as the King's other forces, all pay and allowances from the receivers-general is to ceaſe.

pendent company of militia; and alſo the allowance to the clerk of ſuch regiment or battalion; ſhall, during ſuch time of actual ſervice, and until ſuch regiment, battalion, or independent company ſhall be diſembodied and returned home by order of their commanding officers, ceaſe and not be paid.

and the clerks of the ſubdiviſion meetings upon producing a like order from one deputy lieutenant.

IX. And be it enacted, That the ſaid receiver or receivers of the land tax ſhall pay to the clerk of the general meetings his allowance, at the rate of five pounds five ſhillings for each meeting, upon his producing an order or orders for that purpoſe from his Majeſty's lieutenant, or from three deputy lieutenants aſſembled at ſome general meeting or meetings; and ſhall alſo pay to each and every the clerks of the ſubdiviſion meetings their ſeveral allowances, at the rate of one pound one ſhilling for each meeting, upon his or their producing an order or orders from one or more deputy lieutenant, or deputy lieutenants aſſembled in the ſeveral ſubdiviſion meetings; which ſaid order or orders ſhall be to the ſaid receiver or receivers-general of the land tax, a ſufficient diſcharge for the payment of ſuch allowances, and be allowed in his or their account.

Orders to diſcharge receivers general.

Regimental and battalion clerks to give ſecurity for paying and accounting for the monies received by them;

the bonds to be lodged with the receivers-general, and put in ſuit by them on non performance of the condition;

and they are intituled thereupon to full coſts and charges.

and 5l. *per cent.* of the money recovered;

the reſidue to be accounted for to the auditor.

X. Provided always, and be it enacted, That the clerk of each regiment or battalion of militia, ſhall give ſecurity to the receiver or receivers-general of the land tax, of the county, riding or place, to which ſuch regiment or battalion ſhall belong, by a bond to his Majeſty in the penalty of one half of the ſum required for the whole year's charge of the regiment or battalion of militia to which ſuch clerk ſhall belong, for duly anſwering and paying ſuch ſums as he ſhall, from time to time, have received, and for duly accounting for the ſame, and for performance of the truſt hereby in him repoſed; which ſaid bond ſhall be lodged in the hands of the receiver or receivers-general of the land tax, for the reſpective county, riding or place, who in caſe the ſaid regimental or battalion clerk, ſhall not duly perform the conditions compriſed in the ſaid bond, ſhall, and is hereby required forthwith to put the ſaid bond in ſuit in the name of his Majeſty, his heirs, and ſucceſſors; the full coſts and charges of which ſuit, in caſe judgment ſhall be given againſt ſuch regimental or battalion clerk, ſhall be paid by him to the ſaid receiver or receivers general of the land tax, who ſhall likewiſe be intituled to, and receive to his or their own uſe, at the rate of five pounds *per centum* out of all ſuch monies as ſhall be by him or them recovered thereon; and ſhall account for the reſidue thereof with the proper auditor of his Majeſty's revenue; the ſaid receiver or receivers-general of the land tax charging himſelf or themſelves therewith, upon the next account of the land tax to be by him or them paſſed.

The regimental and battalion clerks, and captains of independent companies,

XI. And be it enacted, That the clerk of every regiment or battalion of militia, and the captain of every independent company of militia, in every county, riding, and place within the part of *Great Britain* aforeſaid, ſhall, between the twenty-fifth day of *March*, and the twenty-fourth day of *June*, one thouſand ſeven hundred and ſixty-four, deliver to the receiver or receivers

ceivers-general of the land tax for the county, riding, or place, to which ſuch regiment, battalion, or independent company ſhall belong, a fair account in writing, of all monies by him received and diſburſed for the ſervice of the preceding year, in purſuance of this act, with proper vouchers for the ſame; and ſhall pay back to the ſaid receiver or receivers-general of the land tax, any ſurplus of ſuch monies that ſhall then be in his hands; which ſaid accounts ſigned by ſuch regimental or battalion clerk, or by ſuch captain of an independent company reſpectively, ſhall be tranſmitted by the ſaid receiver or receivers-general of the land tax, into the office of the proper auditor of his Majeſty's revenue.

are to deliver in accounts of their receipts and diſburſements, and pay over the balance to the receivers-general; who are to tranſmit the accounts into the auditor's office.

XII. Provided always, and be it enacted, That all penalties, all coſts and charges of ſuit, and all ſums of money for which any perſon or perſons is or are by this act made anſwerable, may, and ſhall be recovered in any of his Majeſty's courts of record at *Weſtminſter*, by action of debt, bill, plaint, or information, wherein no eſſoin, wager at law, or protection, or more than one imparlance ſhall be allowed.

Recovery of penalties, &c.

XIII. Provided always, and be it enacted, That no fee or gratuity whatſoever, ſhall be given or paid for or upon account of any warrant or ſum of money which ſhall be iſſued in relation to, or in purſuance of, this act.

No fee payable for any warrant or ſum of money iſſued in purſuance of this act.

XIV. Provided always, and be it further enacted, That any perſon being on half-pay, and ſerving in the militia, ſhall and may, and he is hereby impowered to receive and take the ſubſiſtence money by this act directed to be paid to lieutenants or enſigns; and the receiving and taking ſuch ſubſiſtence-money by any ſuch lieutenant or enſign, ſhall not be deemed a receiving or taking pay, ſo as in any manner to prevent ſuch perſon on half-pay receiving his half-pay; and ſuch perſon ſhall take the following oath before ſome juſtice of the peace, who is hereby impowered to adminiſter the ſame;

Officers on half pay ſerving in the militia, may receive the ſubſiſtence money payable to lieutenants or enſigns, they taking the following oath before a juſtice.

The oath.

I A. B. *do ſwear, That I had not, between the* *any place* *or employment of profit civil or military under his Majeſty, beſides my allowance of half-pay as a reduced* *in* *late regiment of* *ſave and except my ſubſiſtence as a lieutenant or enſign*, as the caſe may be, *for ſerving in the militia of the county of*

and the taking the ſaid oath ſhall be ſufficient to intitle ſuch perſon to receive his half-pay, without taking any other oath; any law, uſage, or cuſtom, to the contrary thereof notwithſtanding.

XV. And whereas by an act paſſed in the laſt ſeſſion of parliament, intituled, *An act to explain, amend, and reduce into one act of parliament, the ſeveral laws in being, relating to the raiſing and training the militia within that part of* Great Britain *called* England; it is enacted, That his Majeſty's lieutenant of every county, riding, and place, together with any two or more deputy lieutenants,

lieutenants, and on the death or removal, or, in the abſence of his Majeſty's lieutenant, any three or more deputy lieutenants, ſhall meet annually on the laſt *Tueſday* in *May*, or on the laſt *Tueſday* in *October*, as they ſhall think moſt convenient for the due execution of this act, and at a general meeting ſhall appoint the time and place, or times and places, for the training and exerciſing of the militia: and whereas, the appointing the time and place, or times and places, for training and exerciſing the militia at ſuch general meetings ſo fixed as aforeſaid, may be found inconvenient in the year one thouſand ſeven hundred and ſixty three; be it therefore further enacted, That it ſhall and may be lawful to and for his Majeſty's lieutenant of every county, riding and place, on or before the thirtieth day of *April* next, to appoint the time and place, or times and places, for training and exerciſing the militia in the year one thouſand ſeven hundred and ſixty three; and in caſe any ſuch lieutenant ſhall not appoint the time and place, or times and places, for training and exerciſing the militia on or before the ſaid thirtieth day of *April*, it ſhall and may be lawful to and for any three or more deputy lieutenants of any ſuch county, riding, or place, to appoint the time and place, or times and places, for the training and exerciſing the militia in the year one thouſand ſeven hundred and ſixty three.

Lord lieutenant to appoint, on or before 30 April, the times and places of exerciſe; and on his default, three deputy lieutenants may appoint the ſame.

CAP. XI.

An act for explaining and amending an act made in the thirty-firſt year of the reign of his late majeſty King George *the Second, intituled,* An act for the due making of bread; and to regulate the price and aſſize thereof; and to puniſh perſons who ſhall adulterate meal, flour, or bread.

Preamble.

WHEREAS *the ſtatute made in the thirty-firſt year of the reign of his late majeſty King* George *the Second, intituled,* An act for the due making of bread, and to regulate the price and aſſize thereof; and to puniſh perſons who ſhall adulterate meal, flour, or bread; *is deficient in ſeveral of the proviſions thereby made, when an aſſize of bread is not ſet purſuant to the directions of the ſaid act:* For remedy wherein, and in order that makers of bread for ſale, and the ſellers thereof, may in all places, although the aſſize of bread ſhall at any time not be ſet, be under due regulations; be it enacted by the King's moſt excellent majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That from and after the firſt day of *May*, one thouſand ſeven hundred and ſixty-three, although no aſſize of bread ſhall be ſet in purſuance of the ſaid act, no loaf or loaves of bread, called or deemed aſſize loaf or loaves in the tables of the aſſize and price of bread in the ſaid act enacted and referred to, and the weight of which varies according to the varlation in the price of grain, ſhall be made

After 1 May, 1763, no aſſized and prized bread to be made at the ſame time in the ſame place.

made for ſale, ſold, or carried out for ſale, or be offered or expoſed to or for ſale, or be allowed to be ſold in any place, where any loaf or loaves of the bread called or deemed prized loaf or loaves in the ſaid tables of the aſſize and price of bread, in and by the ſaid act enacted and referred to, and the price of which varies according to the variation in the price of grain, ſhall at the ſame time be made for ſale, or be allowed to be ſold; that viz. is to ſay, no aſſize loaves of the price of three pence, and prized loaves called *half quartern loaves*, nor aſſize loaves of the price of ſix pence, and prized loaves called *quartern loaves*, nor aſſize loaves of the price of twelve pence, and prized loaves called *half peck loaves*, nor aſſize loaves of the price of eighteen pence, and prized loaves called *peck loaves*, ſhall, at the ſame time, in any place be made for ſale, ſold, or carried out for ſale, or be offered or expoſed to or for ſale, or allowed to be ſold; that unwary perſons may not in any wiſe be impoſed on, and prejudiced by buying aſſize loaves referred to in the ſaid tables, as or for prized loaves referred to in the ſaid tables, or by buying ſuch prized loaves as or for ſuch aſſize loaves; and every perſon who ſhall offend in the premiſſes, and be convicted of any ſuch offence in manner hereafter ſpecified, ſhall, for every ſuch offence, forfeit and pay a ſum not exceeding forty ſhillings, nor leſs than ten ſhillings, as the juſtice or juſtices before whom any ſuch offender or offenders ſhall be convicted, ſhall, from time to time, adjudge.

upon penalty of forfeiting not exceeding 40s. nor leſs than 10s.

II. And be it further enacted by the authority aforeſaid, That from and after the ſaid firſt day of *May*, one thouſand ſeven hundred and ſixty-three, although no aſſize of bread ſhall be ſet purſuant to the directions of the ſaid act, the juſtices of the peace of every county, riding, diviſion, city, town, liberty, and place, ſhall and may, at any general or quarter ſeſſion of the peace which ſhall be held within their reſpective counties, diviſions, cities, towns, liberties, or juriſdictions, or at any petty ſeſſion which ſhall be held by any ſuch juſtices within their reſpective juriſdictions, from time to time, aſcertain and appoint (as often as they ſhall think proper) for all or any part of their reſpective juriſdictions, which of the ſorts of aſſize or prized loaves ſhall be allowed from time to time to be made and ſold within their reſpective juriſdictions; and alſo what other ſorts of bread, and of what ſort and ſorts of grain, ſhall be allowed to be made and ſold within their reſpective juriſdictions, or within any part thereof; and every order which ſhall be ſo from time to time made in or touching the premiſſes by any ſuch juſtices, ſhall be entered in a book to be provided and kept for that purpoſe by ſuch juſtices, and which book ſhall and may be inſpected by the makers of bread for ſale, within the reſpective juriſdiction of any ſuch juſtices, at all ſeaſonable times in the day time, and without paying any fee or reward in reſpect thereof; and after the making every ſuch order by any ſuch juſtices, the juſtices who ſhall make the ſame ſhall; with all convenient ſpeed, cauſe a copy of every ſuch order to be affixed or put up in ſome market or other public town within the diviſion

Juſtices, at any general, quarter, or petty ſeſſion, may appoint which of the ſorts of aſſize or prized loaves,

and what other ſorts of bread, and of what grain, ſhall be made for ſale; they cauſing an entry to be made of ſuch orders; which is to be free for inſpection;

and a copy thereof to be

or

set up in some market, or other publick place,

or part of the county, riding, liberty, rape, wapentake, city, town, or place, in which such order is to be observed and take place: or else every such justices, within their respective jurisdictions, shall cause a copy of every such order to be, with all convenient speed after the making thereof respectively, inserted in

or published in the country news papers.

some public news paper which shall be published in the county, riding, division, liberty, rape, wapentake, city, town, or place, or some part thereof, in which every such order respectively is to be observed and take place.

The only sorts of assize bread made of wheat, which shall be allowed.

III. Provided always, and be it enacted by the authority aforesaid, That no justices, within their respective jurisdiction, shall at any time allow the making for sale, or selling, any sorts of assize bread made of the flour or meal of wheat, other than and besides wheaten and houshold bread, and loaves of white bread of the price of two pence or under.

A like proportion, as to weight, is to be kept between the white and wheaten bread, and the wheaten and houshold assize bread; viz.

IV. And be it further enacted by the authority aforesaid, That from and after the said first day of *May*, one thousand seven hundred and sixty-three, although the assize of bread shall not be set pursuant to the said act, every maker of bread for sale shall observe and keep the same or like proportion between white and wheaten bread, and wheaten and houshold assize bread, as to weight, as is mentioned or intended, enacted and referred to in the said assize tables; that is to say, every white loaf of the price of two pence, or under, shall always weigh three parts in four of the weight of the wheaten loaf of the like price, as near as may be; and every wheaten assize loaf of bread, of whatsoever price the same shall be, shall always weigh three parts in four of the weight of every houshold assize loaf of bread of the like price as near as may be; and that every houshold assize loaf of bread, of whatever price the same shall be, shall always weigh one third part more than every wheaten assize loaf of the like price as near as may be; and every person who shall make for sale, sell, offer, or expose to or for sale, or have in his or her custody for sale, any loaf of white, wheaten, or houshold bread, in which the said proportions or regulations shall not be observed and kept, as near as may be, shall, on

on penalty of forfeiting, not exceeding 40s.

being convicted of any such offence in manner herein after-mentioned, forfeit and pay, for every such offence, a sum not exceeding forty shillings, as the justice or justices before whom any such offender or offenders shall be convicted, shall, from time to time, adjudge.

A proportion in the price is to be kept in the peck loaf, and half peck, and its other subdivisions, both in the wheaten, and in houshold bread; and the hous-

V. And be it further enacted by the authority aforesaid, That from and after the said first day of *May*, one thousand seven hundred and sixty-three, although the assize of bread shall not be set pursuant to the said act, every peck, half peck, quarter of a peck, and half quarter of a peck loaf, made for sale, of the meal or flour of wheat, and called *wheaten bread*, shall always be sold in proportion to each other respectively, as to price; and that every peck, half peck, quarter of a peck, and half quarter of a peck loaf, made for sale, of the meal or flour of wheat, and called *houshold bread*, shall always be sold in proportion to each

each other, and for one fourth leſs in price than the loaf made for ſale with the meal or flour of wheat, called *wheaten bread*, of the ſame denomination; and every perſon who ſhall in any wiſe offend in the premiſſes, ſhall for every loaf of either the ſaid wheaten or houſhold bread which ſhall be ſold by him or her, or offered or expoſed to or for ſale, or found in his or her cuſtody for ſale, contrary to the true intent and meaning of this act, forfeit and pay a ſum not exceeding forty ſhillings, nor leſs than ten ſhillings, as the juſtice or juſtices before whom any ſuch offender or offenders ſhall be convicted, ſhall, from time to time, adjudge.

hold is to be one fourth cheaper than the wheaten; on penalty of forfeiting, not exceeding 40s. nor leſs than 10s.

VI. And be it further enacted by the authority aforeſaid, That from and after the ſaid firſt day of *May*, one thouſand ſeven hundred and ſixty-three, although the aſſize of bread ſhall not be ſet purſuant to the ſaid recited act, the ſeveral loaves herein after mentioned of every ſort of bread which ſhall be made for ſale, ſhall always weigh in averdupois weight as follows; that is to ſay, every peck loaf, ſeventeen pounds ſix ounces; every half peck loaf, eight pounds eleven ounces; every quarter of a peck loaf, four pounds five ounces, and one half ounce; and every half quarter of a peck loaf, two pounds two ounces and three quarters of one ounce: and every perſon who ſhall make for ſale, or offer or expoſe to or for ſale, or have in his or her poſſeſſion for ſale, any peck, half peck, quarter of a peck, or half quarter of a peck loaf, in any wiſe deficient of the due weight the ſame ought to be as aforeſaid, ſhall, on being convicted of any ſuch offence in manner herein after mentioned, forfeit and pay a ſum not exceeding five ſhillings, nor leſs than one ſhilling, for every ounce of every loaf of ſuch bread, which ſhall at any time be found wanting, or deficient of or in the due weight the ſame ought to be as aforeſaid; and for every ſuch loaf of bread which ſhall be found wanting leſs than one ounce of the due weight the ſame ought to be as aforeſaid, a ſum not exceeding two ſhillings and ſix pence, nor leſs than ſix pence, as any juſtice or juſtices before whom any ſuch loaf of bread, which ſhall not be of the due weight the ſame ought to be as aforeſaid, ſhall adjudge; ſo as all ſuch bread which ſhall be complained of, as wanting at any time of the due weight the ſame ought to be in any city, town corporate, borough, liberty, or franchiſe, or the juriſdiction thereof, or within the weekly bills of mortality, ſhall, from time to time, be brought before ſome juſtice or juſtices, having juriſdiction in the premiſſes, and ſhall be weighed before ſuch juſtice or juſtices within twenty-four hours after the ſame ſhall have been baked, ſold, or expoſed to or for ſale, or found in any perſon's cuſtody for ſale; and ſo as all ſuch bread which ſhall be complained of as wanting at any time in the due weight the ſame ought to be as aforeſaid, in any hundred, riding, diviſion, rape, wapentake, or other place out of any city, town corporate, borough, liberty, or franchiſe, or the juriſdiction thereof, or out of the weekly bills of mortality, ſhall from time to time, be brought

The weight the peck loaf, and its ſubdiviſions, are to weigh, in every ſort of bread which ſhall be made for ſale; viz.

on forfeiture not exceeding 5s. nor leſs than 1s. for every ounce wanting in the weight;

nor exceeding 2s. 6d. nor leſs than 6d. for all under 1 oz.

the ſame to be weighed before a juſtice, within 24 hours after being baked, ſold, or expoſed to ſale, &c. if within any city, town-corporate, &c. or within the bills of mortality; and in other places, within 3 days;

brought before ſome juſtice or juſtices of ſuch hundred, riding, diviſion, liberty, rape or wapentake, or other place, and ſhall be weighed before ſuch juſtice or juſtices within three days after the ſame ſhall have been baked, offered, or expoſed to or for ſale, or found in any perſon's cuſtody for ſale; unleſs it ſhall be made out to the ſatisfaction of any ſuch juſtice or juſtices before whom any ſuch bread ſhall be brought, by or on the behalf of the party or parties againſt whom any ſuch complaint or information ſhall be made, that ſuch deficiency in weight wholly aroſe from ſome unavoidable accident in baking or otherwiſe, or was occaſioned by or through ſome contrivance or confederacy.

unleſs ſuch deficiency ſhall be ſatisfactorily accounted for.

VII. And be it further enacted by the authority aforeſaid, That after the ſaid firſt day of *May*, one thouſand ſeven hundred and ſixty-three, although an aſſize of bread ſhall not be ſet purſuant to the ſaid act, no perſon ſhall ſell, or offer, or expoſe to or for ſale, or have in his or her cuſtody any bread of an inferior quality to wheaten bread, with intent to ſell the ſame at an higher price than houſhold bread ſhall at the ſame time ſell for in the place where any bread of ſuch inferior quality ſhall be ſold, or offered to or for ſale, or be found for ſale in any perſon's cuſtody; upon pain that every one who ſhall offend in the premiſſes, ſhall, for every ſuch offence, on being thereof convicted in manner herein after mentioned, forfeit and pay not exceeding the ſum of twenty ſhillings, as the juſtice or juſtices before whom any ſuch offender or offenders ſhall be convicted, ſhall, from time to time, adjudge.

Bread of an inferior quality to wheaten, not to be ſold at a higher price than the houſhold;

on forfeiture, not exceeding 20s.

VIII. And be it further enacted by the authority aforeſaid, That from and after the ſaid firſt day of *May*, one thouſand ſeven hundred and ſixty-three, although the aſſize of bread ſhall not be ſet purſuant to the ſaid act, all perſons who ſhall make for ſale, ſell, offer or expoſe to or for ſale, or have in his or her cuſtody for ſale, any of the ſaid wheaten or houſhold bread, ſhall, from time to time, cauſe to be imprinted on every reſpective loaf thereof, as followeth; that is to ſay, on every loaf of the ſaid wheaten bread, a large Roman (W), and on every loaf of the ſaid houſhold bread, a large Roman (H): And if any perſon after the ſaid firſt day of *May*, one thouſand ſeven hundred and ſixty-three, ſhall make for ſale, ſell, offer or expoſe to or for ſale, or have in his or her cuſtody for ſale, any loaf of the ſaid wheaten or houſhold bread, which ſhall not be marked as hereby is directed, ſo as the ſame may, on the view thereof, be aſcertained under what denomination or ſort of bread every ſuch loaf was and ought to be weighed (except as to ſuch loaves which ſhall be raſped after the beſpeaking or purchaſing thereof, by the particular deſire of the perſon who ſhall order the ſame to be ſo raſped for his or her own uſe) he or ſhe who ſhall ſo offend in the premiſſes, and ſhall be thereof convicted in manner herein after mentioned, ſhall, for every loaf of ſuch bread not marked as hereby is directed, which ſhall be found in his or her cuſtody, forfeit and pay a ſum not exceeding

A large Roman (W) to be imprinted on all wheaten bread made for ſale;

and a large Roman (H) on all houſhold bread;

on penalty of forfeiting not exceeding 40s.

ing

ing forty ſhillings, nor leſs than ten ſhillings, as the juſtice or juſtices before whom any ſuch offender or offenders ſhall be convicted, ſhall from time to time adjudge; unleſs it ſhall be made out to the ſatisfaction of ſuch juſtice or juſtices, by or on the behalf of the party or parties againſt whom any ſuch complaint or information ſhall be made, that the not marking or not duly marking thereof wholly aroſe from ſome unavoidable accident in baking, or otherwiſe, or was occaſioned by or through ſome contrivance or confederacy.

nor leſs than 10 s.

unleſs ſuch omiſſion ſhall be ſatisfactorily accounted for.

IX. And be it further enacted by the authority aforeſaid, That from and after the ſaid firſt day of *May*, one thouſand ſeven hundred and ſixty-three, although the aſſize of bread ſhall not be ſet purſuant to the directions of the ſaid act, every loaf of every ſort of bread made of the meal or flour of any other ſort of grain than wheat, which ſhall be made for ſale, or be ſold, carried out, offered, or expoſed, in any wiſe, to or for ſale, ſhall be marked with ſome ſignificant and diſtinct letter or letters, not more than two thereon reſpectively, as the juſtices of any county, riding, diviſion, liberty, city, town, or place, at any general or quarter ſeſſion of the peace which ſhall be holden within their reſpective counties, ridings, diviſions, liberties, cities, towns, or places, within their reſpective juriſdictions, or at any petty ſeſſion which ſhall be held by any ſuch juſtices within their reſpective juriſdictions, ſhall from time to time, for their reſpective counties, ridings, diviſions, liberties, rapes, wapentakes, cities, towns, or places, or any part thereof, order or direct; and every which order ſhall, with all convenient ſpeed after the making thereof, be entered in ſome book to be for that purpoſe provided and kept by ſuch juſtices, and whereunto any maker of bread for ſale reſiding within any ſuch county, diviſion, liberty, rape, wapentake, city, town, or place, ſhall be at liberty to reſort at ſeaſonable times in the day-time, and to peruſe every ſuch order without being ſubject or liable to pay any fee or reward in reſpect thereof; and ſuch juſtices as aforeſaid ſhall, with all convenient ſpeed after the making any ſuch order as aforeſaid, cauſe a copy thereof to be affixed or put up in ſome market or other public town within the diviſion or part of the county, riding, liberty or place, in which ſuch order as aforeſaid is to be obſerved or take place, or in ſome publick place in every city, town, or place, where ſuch order is to be obſerved or take place; or otherwiſe ſuch juſtices, within their reſpective juriſdictions, ſhall cauſe a copy of every ſuch their reſpective order, with all convenient ſpeed after the making thereof, to be inſerted in ſome publick news paper which ſhall be uſually publiſhed in the county, riding, diviſion, liberty, rape, wapentake, city, town, or place, or ſome part thereof, in which ſuch order as aforeſaid is to be obſerved or take place; and if the juſtices, as aforeſaid ſhall at any time, in any place, neglect or omit to make any order, from time to time, with what letter or letters ſuch bread which ſhall be made for ſale, of the meal or flour of any other ſort of grain than wheat, ſhall

Bread made of any other grain than wheat, to be impreſſed with ſuch letters as the juſtices ſhall order;

they cauſing an entry to be made of ſuch order; which is to be free for inſpection;

and a copy thereof to be ſet up in ſome market, or other publick place,

or publiſhed in the country news papers.

Where the juſtices neglect to make ſuch order,

the maker is to mark every ſuch loaf with a diſtinct capital letters;

ſhall be marked, then the maker of all ſuch bread for ſale ſhall, in every place where no ſuch order ſhall be made or be in force, cauſe every loaf of ſuch bread he or ſhe ſhall make, or cauſe to be made, for ſale, or ſhall ſell, or offer or expoſe to or for ſale, to be reſpectively marked with any two diſtinct capital letters as he or ſhe ſhall think fit; and every perſon who, after the ſaid firſt day of *May*, one thouſand ſeven hundred and ſixty-three, ſhall make for ſale, ſell, offer, or expoſe to or for ſale, or have in his or her cuſtody, for ſale, any loaf of any ſuch ſort of bread which ſhall be made with the meal or flour of any other ſort of grain than wheat, which ſhall not be marked as herein before is directed, ſo as that the ſame may, on view thereof, be aſcertained under what denomination every ſuch loaf was made (except ſuch loaves thereof which ſhall be raſped after the beſpeaking or purchaſing thereof, by the particular deſire of the perſon who ſhall order the ſame to be raſped for his or her own uſe) ſhall, for every time he, ſhe, or they, ſhall ſo offend, in the premiſſes, and be thereof convicted in manner herein after directed, forfeit and pay a ſum not exceeding forty ſhillings, nor leſs than five ſhillings, for every loaf of ſuch bread which ſhall not be ſo marked as herein before is firſt directed, as the juſtice or juſtices before whom any ſuch offender ſhall be convicted ſhall, from time to time, adjudge.

on penalty of forfeiting not exceeding 40s. nor leſs than 5 s. for every ſuch unmarked loaf.

Juſtices,

X. And to the end the good deſign of this ſtatute may be more effectually accompliſhed; be it further enacted by the authority aforeſaid, That from and after the ſaid firſt day of *May*, one thouſand ſeven hundred and ſixty-three, it ſhall and may be lawful for any juſtice or juſtices within the limits of their reſpective juriſdictions, although the aſſize of bread ſhall not be there ſet according to the ſaid herein before in part recited act; and alſo for any peace officer or officers authorized by warrant under the hand and ſeal, or hands and ſeals, of any ſuch juſtice or juſtices (and which warrant any ſuch juſtice or juſtices is and are hereby empowered to grant within their reſpective juriſdictions) to enter into any houſe, ſhop, ſtall, bake-houſe, warehouſe, or outhouſe or other place, of or belonging to any baker or ſeller of bread, and to ſearch, view, weigh, examine, and try, all or any bread which ſhall be there found; and alſo to view, weigh, and try, all bread made for ſale, which at any time ſhall be offered or expoſed to or for ſale, or found in any one's cuſtody for ſale, in any wiſe howſoever, within the reſpective juriſdiction of any ſuch juſtice or juſtices: and if any loaf or loaves of bread of any denomination, ſhall, on any ſearch, view, weighing, trial, or examination thereof, by any juſtice or juſtices, or on any complaint made to, or information given before, any juſtice or juſtices, and proved by the oath of one or more credible witneſs or witneſſes, be found to be deficient in the due weight the ſame ought to be, or not to be marked according to the directions and intent of this act, or to be deficient in the due baking or working thereof, or to be wanting in the goodneſs of the ſtuff whereof or wherewith any ſuch

and peace officers (authorized by warrant of a juſtice) may enter the houſes of bakers, and ſearch for, examine, and weigh all bread made for, or expoſed to ſale, &c.

and bread found defective in the weight, or not duly marked, or wanting in due baking,

or goodneſs, or being fraudulently mixt, &c.

ſuch loaf ſhall have been made or to have been made with any mixture of meal or flour of any other ſort of grain than of the grain the ſame ſhall import to be made with, or to be made with any larger or other proportion of any other or different ſort or ſorts of grain, or the meal or flour thereof, than what ought to be put therein, or to be made with any mixture or ingredient which by the ſaid in part recited act ought not to be put therein; or to be made with any thing as or for or in lieu of flour which ſhall not really be the genuine flour the ſame ſhall import to be and ought to be, or that any ſuch bread ſhall be made with any leaven not allowed by the ſaid in part recited act to be uſed in making bread; then, and in every or any of the ſaid caſes, every juſtice and juſtices, peace officer and officers as aforeſaid, is and are hereby reſpectively, within the limits of their ſeveral juriſdictions, impowered and required by the authority of this act, to ſeize every loaf of ſuch bread, and to diſpoſe thereof to poor perſons, as ſuch juſtice or juſtices in his or their diſcretion ſhall, from time to time, within their reſpective juriſdictions, think fit; unleſs it ſhall be made out to the ſatisfaction of any ſuch juſtice or juſtices, by or on the behalf of the party or parties againſt whom any ſuch complaint or information as aforeſaid ſhall be made, that the default found or complained of wholly aroſe from ſome unavoidable accident, or was occaſioned by or through ſome contrivance or confederacy; and every maker and ſeller reſpectively as aforeſaid, whoſe bread ſhall at any time be found before any juſtice or juſtices wanting in the goodneſs of the ſtuff, whereof or wherewith the ſame ſhould have been made, or to be made with any mixture of meal or flour of any other ſort of grain than of the grain the ſame ſhall import to be made with, or to be made with any larger or other proportion of any other or different ſort or ſorts of grain, or the meal or flour thereof, than what ought to be put therein, or to be made with any mixture or ingredient not allowed by the ſaid in part recited act to be put therein, or to be made with any thing as for or in lieu of flour, which ſhall not really be the genuine flour the ſame ſhall import to be and ought to be, or to be made with any leaven not allowed by the ſaid in part recited act to be uſed in making ſuch bread, ſhall, for every ſuch offence, on being convicted thereof in manner herein after mentioned, alſo forfeit and pay a ſum not exceeding five pounds, nor leſs than twenty ſhillings, as the juſtice or juſtices before whom any ſuch offender or offenders ſhall be convicted, ſhall, from time to time, adjudge, unleſs the default found or complained of, ſhall be made out to the ſatisfaction of any ſuch juſtice or juſtices by or on the behalf of the party or parties againſt whom ſuch complaint or information as aforeſaid ſhall be made, to have wholly aroſe from ſome unavoidable accident, or to have been occaſioned by or through ſome contrivance or confederacy.

may be ſeized, and given to the poor;

unleſs ſuch default ſhall be ſatisfactorily accounted for;

and the maker and ſeller ſhall alſo forfeit not exceeding 5l nor leſs than 20s. for every ſuch offence; unleſs the default ſhall be ſatisfactorily accounted for.

XI. And be it further enacted by the authority aforeſaid, That from and after the ſaid firſt day of *May*, one thouſand ſe-

ven hundred and ſixty three, although the aſſiſe of bread ſhall not be ſet according to the ſaid in part recited act, if any perſon or perſons ſhall wilfully obſtruct, hinder, reſiſt, or in any wiſe oppoſe any ſearch, view, weighing, trying, or ſeizing of, any loaf or loaves of bread, authorized by this act to be made or tried, he, ſhe, or they, who ſhall ſo offend in the premiſſes, ſhall, for every ſuch offence, on being convicted thereof in manner herein after mentioned, forfeit and pay ſuch ſum of money not exceeding forty ſhillings, nor leſs than twenty ſhillings, as the juſtice or juſtices before whom any ſuch offender or offenders ſhall be convicted, ſhall, from time to time, adjudge.

Penalty of oppoſing any legal ſearch, view, weighing, trying, or ſeizing of bread, is not to exceed 40 s. nor be leſs than 20 s.

XII. Provided always, and be it further enacted by the authority aforeſaid, That no perſon who ſhall follow, or be concerned in the buſineſs of a miller, mealman, or baker, ſhall be capable of acting, or ſhall be allowed to act as a juſtice of the peace under this act, or in putting in execution any of the powers in or by this act granted; and if any miller, mealman, or baker, ſhall preſume ſo to do, he or they ſo offending in the premiſſes, ſhall, for every ſuch offence, forfeit and pay the ſum of fifty pounds, to any perſon or perſons who will inform or ſue for the ſame; to be recovered in any of his Majeſty's courts of record at *Weſtminſter*, by action of debt, bill, plaint, or information, wherein no eſſoin, wager of law, or more than one imparlance ſhall be allowed, or by way of ſummary complaint, before the court of ſeſſion in that part of *Great Britain* called *Scotland*.

No miller, mealman, or baker, may act as a juſtice in the execution of this act, on penalty of 50 l.

XIII. Provided always, and be it alſo enacted by the authority aforeſaid, That if any perſon who ſhall carry on or follow the trade of a baker, ſhall at any time after the ſaid firſt day of *May*, one thouſand ſeven hundred and ſixty-three, make complaint to any juſtice or juſtices of the peace within his or their juriſdiction, and make appear to him or them by the oath of any credible witneſs, that any offence which any ſuch perſon who ſhall ſo carry on, or follow the ſaid trade of a baker, ſhall have been charged with, and ſhall have incurred and paid any penalty under this act, ſhall have been occaſioned by or through the wilful neglect or default of any journeyman or other ſervant employed by or under any ſuch perſon, who ſhall ſo follow or carry on the ſaid trade of a baker; then, and in any ſuch caſe, every ſuch juſtice and juſtices may, and is and are hereby required to iſſue out his or their warrant under his or their reſpective hand and ſeal, or hands and ſeals, for bringing any ſuch journeyman or ſervant before any ſuch juſtice or juſtices, or any juſtice of the county, city, riding, diviſion, or place, where the offender can be found; and on any ſuch journeyman or ſervant being thereupon apprehended, and brought before any ſuch juſtice or juſtices, he or they, within their reſpective juriſdictions, is and are hereby authorized and required to examine into the matter of ſuch complaint; and on proof thereof being made upon oath to the ſatisfaction of any ſuch juſtice or juſtices who ſhall hear ſuch ſaid complaint, ſuch juſtice and juſtices is and

Baker making it appear, that any offence for which he ſhall have paid the penalty, was occaſioned by the neglect or default of his ſervant:

Juſtice to iſſue his warrant out for bringing the offender before him;

and on conviction,

and are hereby directed and authorized by any order under his or their reſpective hand or hands, to adjudge and order what reaſonable ſum of money ſhall be paid by every ſuch journeyman or ſervant to his maſter or miſtreſs, as or by way of recompence to him or her for the money he or ſhe ſhall have paid, by reaſon of the wilful neglect or default of any ſuch journeyman or ſervant; and if any ſuch journeyman or ſervant ſhall neglect or refuſe on his conviction, to make immediate payment of the ſum of money which any ſuch juſtice or juſtices ſhall order to be paid, by reaſon of ſuch ſaid wilful neglect or default, then any ſuch juſtice and juſtices within their reſpective juriſdictions, is and are hereby authorized and required by warrant under his hand and ſeal, or their hands and ſeals, to cauſe every ſuch journeyman or ſervant to be apprehended and committed to the houſe of correction, or ſome other priſon of the county, riding, diviſion, city, town, liberty, or place, in which any ſuch journeyman or ſervant ſhall be apprehended, and there to be kept to hard labour, for any time not exceeding one calendar month from the time of ſuch commitment, as ſuch juſtice or juſtices ſhall order, unleſs payment ſhall be made of the money ordered to be paid after ſuch commitment, and before the expiration of the ſaid calendar month.

order a ſum to be paid by way of ſatisfaction;

and on non-payment thereof,

is to commit ſuch ſervant to hard labour, for any time not exceeding one month;

unleſs payment be ſooner made.

XIV. And for the better and more eaſy recovery of the ſeveral penalties and forfeitures to be incurred by diſobedience to this act and the powers herein contained, be it further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for the juſtices of the peace, or any one of them, within their reſpective counties, ridings, diviſions, cities, towns corporate, boroughs, liberties, or juriſdictions, to hear and determine, in a ſummary way, all offences committed againſt the true intent and meaning of this act; and, for that purpoſe, to ſummon before them, or any of them, within their reſpective juriſdictions, any party or parties accuſed of being an offender or offenders againſt the true intent and meaning of this act; and in caſe the party accuſed ſhall not appear on ſuch ſummons, or offer ſome reaſonable excuſe for his default, then upon oath of any credible witneſs of any offence committed contrary to the true intent and meaning of this act, any ſuch juſtice or juſtices ſhall iſſue his or their warrant or warrants for apprehending the offender or offenders within the juriſdiction of any ſuch juſtice or juſtices; and upon the appearance of the party or parties accuſed, or, in caſe he, ſhe, or they, ſhall not appear, on notice being given to, or left for, him, her, or them, at his, her, or their uſual place of abode, or if he, ſhe, or they, cannot be apprehended, on a warrant granted againſt him, her, or them, as herein before is directed; then, and in any ſuch caſe, any ſuch juſtice or juſtices is and are hereby authorized and required to proceed to make enquiry touching the matters complained of, and to examine any witneſs or witneſſes who ſhall be offered on either ſide, on oath as aforeſaid, and which oath every ſuch juſtice and juſtices is and are hereby authorized, impowered, and

Juſtices to hear and determine all offences againſt this act in a ſummary way.

required to adminiſter; and after hearing of the parties who ſhall appear, and the witneſſes who ſhall be offered on either ſide, ſuch juſtice or juſtices ſhall convict or acquit the party or parties accuſed: and if the penalty or money forfeited on any ſuch conviction ſhall not be paid within the ſpace of twenty-four hours after any ſuch conviction, every ſuch juſtice or juſtices ſhall thereupon iſſue a warrant or warrants under his hand and ſeal, or their hands and ſeals reſpectively, directed to any peace officer or officers within their reſpective juriſdictions, and thereby require him or them to make diſtreſs of the goods or chattels of the offender or offenders within ſuch their reſpective juriſdictions, to ſatisfy ſuch penalty or money forfeited, and the coſts of the proſecution and diſtreſs: and if any offender ſhall convey away his or her goods out of the juriſdiction of any ſuch juſtice or juſtices before whom he or ſhe was convicted, or ſo much thereof that the penalty or money forfeited cannot be levied, then ſome juſtice within whoſe juriſdiction the offender ſhall have removed his or her goods, ſhall back the warrant granted by any juſtice or juſtices as aforeſaid, and thereupon the penalty forfeited ſhall be levied on the offender's goods and chattels, by diſtreſs and ſale thereof; and if within five days from the diſtreſs being taken, the penalty or money forfeited and coſts as aforeſaid, ſhall not be paid, the goods ſeized or taken ſhall be appraiſed and ſold, tendering the overplus (if any) after deducting the penalty or forfeiture, and the coſts and charges of the proſecution, diſtreſs and ſale, to the owner or owners thereof; which charges ſhall be aſcertained by the juſtice or juſtices before whom any ſuch offender or offenders ſhall have been ſo convicted, or by the juſtice who backed the warrant (if either of them ſhall continue alive) and if not, by ſome other juſtice of the county, riding, diviſion, city, or place, in which the offender ſhall have been convicted, on application for that purpoſe to be made to any ſuch juſtice; and for want of ſuch diſtreſs, then every ſuch juſtice within whoſe reſpective juriſdiction any ſuch offender or offenders ſhall reſide or be, ſhall, on the application of any proſecutor or proſecutors, and proof on oath made of the conviction, and nonpayment of the penalty and charges, by warrant under his hand and ſeal, commit every ſuch offender or offenders to the common gaol or houſe of correction of the county, riding, diviſion, city, liberty, or place, where ſuch offender or offenders ſhall be found, there to remain for the ſpace of one calendar month from the time of ſuch commitment, unleſs after ſuch commitment payment ſhall be made of the penalty or money forfeited, and the coſts and charges aſcertained as aforeſaid, before the expiration of the ſaid one calendar month.

and the penalties to be paid within 24 hours after conviction; or to be levied by diſtreſs and ſale.

Warrant of diſtreſs may be backed.

Diſtreſs to be ſold within 5 days;

and all charges to be deducted thereout.

For want of ſufficient diſtreſs, the offender to be committed.

XV. And be it further enacted by the authority aforeſaid, That the juſtice or juſtices before whom any perſon ſhall be convicted in that part of *Great Britain* called *England*, in manner preſcribed by this act, ſhall cauſe every ſuch reſpective conviction to be drawn up in the form or to the effect following; that is to ſay,

Form following to be obſerved in convictions in England,

(*To*

(*To wit*) BE *it remembered, That on this day of in the year of the reign of* A. B. *is convicted before Majeſty's juſtices of the peace for the ſaid county of or for the city, liberty, or town of* (as the caſe ſhall happen to be) *for and do adjudge* (*him, her, or them,* as the caſe ſhall be) *to pay and forfeit for the ſame, the ſum of*

Given under the day and year aforeſaid.

Form in Scotland to be as for other offences of the like nature.

XVI. And be it further enacted by the authority aforeſaid, That in caſe any perſon or perſons ſhall be convicted of any offence againſt this act, before any juſtice or juſtices of the peace in that part of *Great Britain* called *Scotland*, every ſuch conviction ſhall proceed and be drawn up in the form commonly uſed and practiſed before ſuch juſtices of the peace, on convictions for other offences of the like nature.

No conviction, &c. removeable by certiorari.

XVII. And be it further enacted by the authority aforeſaid, That no *certiorari*, letters of advocation, or of ſuſpenſion, ſhall be granted to remove any conviction, or other proceedings had thereon in purſuance of this act.

Perſons aggrieved by the judgment of a juſtice, may appeal to the quarter ſeſſions;

entering into a recognizance, with ſureties to proſecute the appeal.

XVIII. Provided always, and be it further enacted by the authority aforeſaid, That if any perſon convicted of any offence puniſhable by this act, ſhall think him, her, or themſelves, aggrieved by the judgment of any juſtice or juſtices before whom he, ſhe, or they, ſhall have been convicted, ſuch perſon ſhall have liberty, from time to time, to appeal to the juſtices at the next general or general quarter ſeſſions of the peace which ſhall be held for the county, riding, diviſion, city, liberty, town, or place, where ſuch judgment ſhall have been given; and that the execution of the ſaid judgment ſhall, in ſuch caſe, be ſuſpended; the perſon ſo convicted entering into a recognizance at the time of ſuch conviction, with two ſufficient ſureties, in double the ſum which ſuch perſon ſhall have been adjudged to pay or forfeit upon condition to proſecute ſuch appeal with effect, and to be forthcoming, to abide the judgment and determination of the juſtices at their ſaid next general or general quarter ſeſſion; which recognizance the juſtice or juſtices, before whom ſuch conviction ſhall be had, is and are hereby impowered and required to take; and the juſtices in the ſaid general or general quarter ſeſſion are hereby authorized and required to hear and finally determine the matter of every ſuch appeal, and to award ſuch coſts as to them ſhall appear juſt and reaſonable to be paid by either party; and if, upon hearing the ſaid appeal, the judgment of the juſtice or juſtices before whom the appellant or appellants ſhall have been convicted, ſhall be affirmed, ſuch appellant or appellants ſhall immediately pay down the ſum he, ſhe, or they, ſhall have been adjudged to forfeit, together with ſuch coſts as the juſtices in their ſaid general or general quarter

Juſtices at the quarter ſeſſions to hear and determine the matter of ſuch appeal, and award coſts.

seſſion ſhall award to be paid to the proſecutor or informer for defraying the expences ſuſtained by reaſon of any ſuch appeal;

On the appeal being affirmed, the appellant may be committed till payment of the coſts,

and in default of the appellant's paying the ſame, any juſtices or juſtice having juriſdiction in the place into which any ſuch appellant or appellants ſhall eſcape, or where he, ſhe, or they, ſhall reſide, ſhall and may, by warrant under their hands and ſeals, or his hand and ſeal, commit every ſuch appellant and appellants to the common gaol of the county, riding, diviſion, liberty, city, town, or place, where he, ſhe, or they, ſhall be apprehended, there to remain until he, ſhe, or they, ſhall pay the penalty or money forfeited and coſts as aforeſaid, or ſhall compound in reſpect thereof with the informer, and pay the compoſition-money agreed on to the informer; but if the appellant or appellants in any ſuch appeal ſhall make good his, her, or their appeal, and be diſcharged of the ſaid conviction, reaſonable coſts ſhall be awarded to the appellant or appellants, againſt ſuch informer or informers, who (in caſe of ſuch conviction having been affirmed) would have been intitled to the penalty to have been recovered as aforeſaid; and which coſts ſhall and may be recovered by the appellant or appellants againſt any ſuch informer or informers, in like manner as coſts given at any general or general quarter ſeſſion of the peace are recoverable.

or compoſition be made

If the appellant make good his appeal, reaſonable coſts to be awarded him.

XIX. Provided always, and be it further enacted by the authority aforeſaid, That if any ſuch conviction ſhall happen to be made within ſix days before any general or general quarter ſeſſion of the peace, which ſhall be held for the county, riding, diviſion, city, town corporate, borough, or place, where ſuch conviction ſhall have been made; then the party or parties who ſhall think him, her, or themſelves, aggrieved by any ſuch conviction, ſhall and may, on entering into a recognizance in manner and for the purpoſes before directed, be at liberty to appeal, either to then next, or the next following general or general quarter ſeſſion of the peace which ſhall be held for any ſuch county, riding, diviſion, city, town corporate, borough, liberty, or place, where any ſuch conviction ſhall have been made.

Where there is not ſufficient time between the conviction and ſeſſions, appeal may be made to the 2d quarter ſeſſion.

XX. And be it further enacted by the authority aforeſaid, That every action or ſuit which ſhall be brought or commenced againſt any juſtice or juſtices, or any peace officer or officers, in that part of *Great Britain* called *England*, for any matter or thing done or committed by virtue of, or under this act, ſhall be commenced within ſix calendar months next after the fact committed, and not afterwards, and ſhall be laid or brought in the county, city, or place, where the matter in diſpute ſhall ariſe, and not elſewhere; and that the ſtatute made in the twenty-fourth year of King *George* the Second, intituled, *An act for rendering the juſtices of the peace more ſafe in the execution of their office; and for indemnifying conſtables, and others, acting in obedience to their warrants*; ſo far as the ſaid act relates to the rendering the juſtices more ſafe in the execution of their office, ſhall extend, and be conſtrued to extend, to the juſtice or juſtices of the peace acting

Limitation of actions brought againſt juſtices, and peace officers.

Act 24 Geo. II. extended to juſtices acting under this act.

ing

ing under the authority or in purſuance of this act; and that no action or ſuit ſhall be had or commenced againſt, nor ſhall any writ be ſued out, or copy of any writ be ſerved upon, any peace officer or officers, for any thing done in the execution of this act, until ſeven days after a notice in writing ſhall have been given to, or left for, him or them, at his or their uſual place of abode, by the attorney for the party intending to commence ſuch action; which notice ſhall contain the name and place of abode of the perſon intending to bring ſuch action, and alſo of his attorney, and likewiſe the cauſe of action or complaint: and any peace officer or officers ſhall be at liberty, and may, by virtue of this act, at any time within ſeven days after any ſuch notice ſhall have been given to, or left for, him, tender, or cauſe to be tendered, any ſum or ſums of money, as amends for the injury complained of, to the party complaining, or to the attorney named in any ſuch notice; and, if the ſame is not accepted of, the defendant or defendants in any ſuch action or actions may plead ſuch tender in bar of ſuch action or actions, together with the general iſſue, or any other plea, with leave of the court in which the action ſhall be commenced: and if, upon iſſue joined on ſuch tender, the jury ſhall find the amends tendered to have been ſufficient, they ſhall find a verdict for the defendant or defendants: and in every ſuch caſe, or if the plaintiff ſhall become nonſuit, or diſcontinue his action; or if judgment ſhall be given for the defendant or defendants upon demurrer; or if any action or ſuit ſhall be brought after the time limited by this act for bringing the ſame, or ſhall be brought in any other county or place than as aforeſaid; then, and in every ſuch caſe, the jury ſhall find a verdict for the defendant or defendants; and the defendant or defendants ſhall be intitled to his or their coſts: but if the jury ſhall find that no ſuch tender was made, or that the amends tendered were not ſufficient, or ſhall find a verdict againſt the defendant or defendants, on any plea or pleas by him or them pleaded; then they ſhall give a verdict for the plaintiff, and ſuch damages, as they ſhall think proper; and the plaintiff ſhall thereupon recover his or her coſts, againſt every ſuch defendant and defendants.

Notice to be given to peace officers, before any writ be ſued out againſt them:

and if tender of amends be made by them,

and the ſame ſhall be found to have been ſufficient, &c. a verdict to be found for them, with coſts.

Plaintiff recovering, intitled to damages and coſts.

XXI. And be it further enacted by the authority aforeſaid, That if any action or ſuit ſhall be commenced againſt any other perſon or perſons than a juſtice or juſtices, or peace officer, for any thing done in purſuance of this act, the defendant or defendants in any ſuch action or ſuit may plead the general iſſue, and give this act, and the ſpecial matter, in evidence at any trial to be had thereupon; and that the ſame was done in purſuance and by the authority of this act; and if it ſhall appear ſo to have been done, or if a verdict ſhall be found for the defendant or defendants; or if the plaintiff ſhall be nonſuited, or diſcontinue his action, after the defendant or defendants ſhall have appeared; or if judgment ſhall be given upon a verdict or demurrer againſt the plaintiff or plaintiffs, the defendant or defendants in every ſuch action ſhall and may recover double coſts, and have the

Limitation of other actions.

General iſſue.

Double coſts

the like remedy for the ſame as any defendant or defendants hath or have in other caſes by law for recovery of his or their coſts.

Limitations and remedies for rendering juſtices, peace officers, and other perſons, ſafe in their duty, extended to Scotland.

XXII. And be it enacted by the authority aforeſaid, That the above limitations and remedies for rendering juſtices of peace, peace officers, and all other perſons, ſafe in the execution of their ſeveral offices under this act, ſhall extend to and be available to all ſuch juſtices of peace, peace officers, and other perſons, in that part of *Great Britain* called *Scotland*; and ſhall be pleaded by them, and ſuſtained by the court or courts before which they, or any of them, may happen to be ſued, according to the forms of the law of *Scotland*.

Limitation of proſecutions for offences againſt this act.

XXIII. Provided alſo, and be it likewiſe enacted by the authority aforeſaid, That no perſon ſhall be convicted of any offence under this act, unleſs the proſecution in order for ſuch conviction ſhall be commenced within three days after the offence committed; and that no perſon, who ſhall be proſecuted to conviction for any offence done or committed againſt this act, ſhall be ſubject or liable to be proſecuted for the ſame offence under any other law.

Penalties and forfeitures how to be recovered and applied.

XXIV. And be it further enacted by the authority aforeſaid, That all penalties and forfeitures by this act inflicted, ſhall, when recovered or paid, go and be diſtributed in manner following; that is to ſay, one moiety thereof, where any offender or offenders ſhall be convicted, either by his, her, or their own confeſſion, or by the oath of one or more credible witneſs or witneſſes, ſhall go and be paid to the perſon or perſons who ſhall inform againſt and proſecute to conviction any ſuch offender or offenders; and the other moiety thereof as the juſtice or juſtices, before whom any offender or offenders againſt this act ſhall be convicted, ſhall from time to time, think fit and order, for the better carrying into execution the purpoſes of this act, and defraying the charges attending the carrying the ſame into execution.

Rights of the two univerſities reſerved.

XXV. Provided likewiſe, and it is hereby enacted, That this act, or any thing herein contained, ſhall not extend, or be conſtrued to extend, to prejudice the ancient right or cuſtom of the two univerſities of *Oxford* or *Cambridge*, or either of them, or of their or either of their clerks of the market, or the practice within the ſeveral juriſdictions of the ſaid univerſities, or either of them, uſed, to aſcertain and appoint the weight of all ſorts of bread to be ſold or expoſed to ſale within their ſeveral juriſdictions; but that they, and every of them, ſhall and may, ſeverally and reſpectively, from time to time, as there ſhall be occaſion, aſcertain and appoint within their ſeveral and reſpective juriſdictions, the weight of all ſorts of bread to be ſold or expoſed to ſale by any baker or other perſon whatſoever, within the limits of their ſeveral juriſdictions; and ſhall and may puniſh the breach thereof as fully and freely, in all reſpects, as they uſed to do, and as if this act had never been made; any thing herein

herein contained to the contrary thereof in any wife notwithſtanding.

CAP. XII.

An act for granting to his Majeſty ſeveral additional duties upon wines imported into this kingdom, and certain duties upon all cyder and perry; and for raiſing the ſum of three millions five hunared thouſand pounds, by way of annuities and lotteries, to be charged on the ſaid duties.

Moſt gracious Sovereign,

Preamble.

WE *your Majeſty's moſt dutiful and loyal ſubjects, the commons of* Great Britain, *in parliament aſſembled, towards raiſing by the moſt eaſy means the neceſſary ſupplies to defray your Majeſty's publick expences, have freely and voluntarily reſolved to give and grant unto your Majeſty, the ſeveral rates, duties and impoſitions, herein after mentioned, and do moſt humbly beſeech your Majeſty that it may be enacted*; and be it enacted by the King's moſt excellent majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That from and after the thirty-firſt day of *March*, one thouſand ſeven hundred and ſixty-three, over and above all ſubſidies of tonnage and poundage, and all other ſubſidies, additional duties, and impoſitions, whatſoever, due or payable for all wines and vinegar imported into *Great Britain*, by any act or acts of parliament now in force, there ſhall be raiſed, levied, collected, and paid unto his Majeſty, his heirs, and ſucceſſors (before landing thereof) the additional impoſitions, rates, or duties following, without any diſcount or deduction inwards, or drawback on re-exportation afterwards; that is to ſay,

Additional duties granted, to take place from and after 31 March 1763.

For every ton of *French* wine and *French* vinegar, which ſhall be imported into this kingdom, the ſum of eight pounds; and ſo after that rate for any greater or leſſer quantity.

viz. On French wine and vinegar imported, 8l. per ton;

And alſo for every ton of all other wines and vinegar imported into this kingdom, the ſum of four pounds; and ſo after that rate for any greater or leſſer quantity.

and on all other wines and vinegar imported, 4l. per ton;

The ſame to be raiſed, levied, collected, paid, and recovered, in ſuch manner and form, and by ſuch ways, means, and methods, and under ſuch penalties and forfeitures (except as to diſcounts and drawbacks aforeſaid) as are mentioned and expreſſed in the act of parliament made and paſſed in the firſt year of the reign of his late Majeſty King *James* the Second, intituled, *An act for granting his Majeſty an impoſition upon all wines and vinegar imported between the twenty-fourth day of* June, *one thouſand ſix hundred and eighty-five, and the twenty-fourth day of* June, *one thouſand ſix hundred and ninety-three*; or in any other act or acts of parliament by which the ſaid impoſitions, rates, and duties, upon all wines and vinegar imported, were continued and made perpetual;

to be collected, levied, and paid, as expreſſed in the act of 1 Jac. II.

or in any other act making the duties thereby granted perpetual.

perpetual; and all powers, penalties, forfeitures, provisions, articles, and clauses therein contained, not any ways altered by this act, shall continue in full force and effect during the continuance of the said impositions, rates, and duties hereby granted, and shall be applied, practised, and executed, for the raising, levying, collecting, securing, answering, and paying the said impositions, rates, aud duties, according to the true intent and meaning of this act, as fully and effectually to all intents and purposes as if the said clauses, matters, and things, had been again repeated and re-enacted in the body of this present act; any law, custom, or usage, to the contrary in any wise notwithstanding.

Damaged and unmerchantable wines exempted from these additional duties. Act 12 Geo. I.

II. Provided always, That nothing in this act contained shall extend or be construed to extend, to lay any further duties upon wines damaged, corrupt, or unmerchantable, and for which the merchants or importers thereof shall refuse to pay or secure the duties; and which by an act passed in the twelfth year of the reign of his late majesty King *George* the First, intituled, *An act for the improvement of his Majesty's revenues of customs, excise, and inland duties*, are, on such refusal directed to be received into the custody of proper officers of the customs, to be publickly sold, in order to be distilled into brandy, or to be made into vinegar.

The said duties to be under the management and direction of the commissioners of the customs; and to be paid over weekly by the receiver-general into the exchequer,

apart from all other monies;

III. And it is hereby enacted by the authority aforesaid, That the said impositions, rates, and duties by this act granted, shall, from time to time be, under the management and direction of the respective commissioners of his Majesty's customs, and their officers for the time being, and shall be paid into the hands of the receiver general of the customs in *England* for the time being; and such receiver-general shall weekly, to wit, on *Wednesday* in every week, if it be not an holy day, and if it be, then on the next day after that is not an holy day, answer and pay all the monies arising by the said additional impositions, rates, and duties (the necessary charges of raising, collecting, and answering the same, only excepted) into the receipt of his Majesty's exchequer, distinct and apart from all other monies which such receiver-general shall receive for the use of his Majesty, his heirs and successors, for the uses and purposes in this act mentioned.

and to be entered accordingly in proper books to be provided there for the purpose.

IV. And be it further enacted by the authority aforesaid, That there shall be provided and kept in the office of the auditor of the said receipt of exchequer, a book or books in which all the monies hereby appointed to be paid weekly into the said receipt as aforesaid, shall be entered separate and apart from all other monies paid or payable to his Majesty, his heirs or successors, upon any account whatsoever.

Rule annexed to the book of rates.

V. And whereas by the eighth rule annexed to the book of rates referred to in the act of tonnage and poundage passed in the twelfth year of the reign of King *Charles* the Second, every merchant bringing in any sort of wines into this kingdom by

way of merchandize, and making due entries thereof, is allowed twelve pounds *per centum* for leakage: And whereas it is of late years become a practice for ſeveral merchants to lodge *Spaniſh*, *Portugal*, and other wines, at the iſlands of *Guernſey* and *Jerſey*, and after they have filled up the caſks there, to import ſuch wines into this kindom, and demand the before mentioned allowance for leakage, notwithſtanding the caſks are quite full, to the leſſening of his Majeſty's revenue, and the prejudice of other merchants who import wines directly from the place of their growth: For remedy whereof, and in order to put all merchants upon a more equal footing, be it enacted by the authority aforeſaid, That no merchant ſhall, in reſpect of the duties impoſed by this act, be allowed twelve pounds *per centum*, or have any allowance for leakage upon any wine imported into this kingdom, unleſs ſuch wine be imported directly from the country or place of the growth of the ſaid wine, or the uſual port or place of its firſt ſhipping, except *Madeira* wines imported into this kingdom from any of his Majeſty's plantations in *America*; any thing in the ſaid recited rule to the contrary notwithſtanding.

No allowance to be made for leakage, but upon wines imported directly from the country or place of their growth, &c. Madeira wines imported from the Britiſh plantations in America excepted.

VI. And be it further enacted by the authority aforeſaid, That from and after the fifth day of *July*, one thouſand ſeven hundred and ſixty-three, there ſhall be raiſed, collected, levied, and paid unto and for the uſe of his Majeſty, his heirs, and ſucceſſors, for and upon all cyder and perry which ſhall at any time or times be imported or brought into the kingdom of *Great Britain*, (over and above all other cuſtoms, ſubſidies, and duties by any act or acts of parliament or law whatſoever impoſed upon or payable for the ſame) the additional rate or new duty of exciſe herein after expreſſed; that is to ſay,

From and after 5 July, 1763, an additional duty to be laid on all cyder and perry;

For every ton of cyder or perry imported into *Great Britain* from beyond the ſeas, and ſo proportionably for a greater or leſſer quantity, to be paid by the importer before landing, over and above all other duties payable for the ſame, two pounds.

viz. On all cyder and perry imported, 40s. per ton;

VII. And be it further enacted by the authority aforeſaid, That from and after the fifth day of *July*, one thouſand ſeven hundred and ſixty-three, there ſhall be raiſed, levied, collected, and paid, unto and for the uſe of his Majeſty, his heirs, and ſucceſſors, for and upon all cyder and perry made within the kingdom of *Great Britain*, (over and above all other duties, charges, and impoſitions, by any former act or acts of parliament thereupon reſpectively ſet, rated, or impoſed) the new duty of exciſe herein after mentioned and expreſſed; that is to ſay,

and upon all cyder and perry made within Great Britain,

For all cyder and perry which ſhall be made in *Great Britain*, upon every hogſhead, to be paid by the maker thereof, and ſo proportionably for a greater or leſs quantity, (over and

4s. per hogſhead, to be paid by the maker.

bove

above all other duties now payable for cyder or perry) the ſum of four ſhillings.

Duties upon cyder and perry made in England, to be under the receipt and management of the commiſſioners and officers of exciſe there; and thoſe in Scotland, under like officers there.

VIII. And for the better aſcertaining, charging, collecting, raiſing, levying, and ſecuring the ſaid rates and duties by this act impoſed, and preventing frauds therein; be it further enacted by the authority aforeſaid, That ſuch of the ſaid rates and duties by this act granted, as are charged upon cyder or perry made in, or imported into *England*, *Wales*, or the town of *Berwick* upon *Tweed*, ſhall be under the receipt and management of the commiſſioners and officers of his Majeſty's revenues of exciſe in *England* for the time being; and ſuch of the ſaid rates and duties as are impoſed by this act upon cyder or perry made in, or imported into *Scotland*, ſhall be under the receipt and management of the commiſſioners and officers of exciſe in *Scotland* for the time being; and the ſaid reſpective commiſſioners of exciſe, or the major part of them, have hereby power, by commiſſion under their reſpective hands and ſeals, to conſtitute and appoint under them ſuch officers as ſhall be neceſſary in that behalf; and all monies ariſing by and in reſpect of the ſaid duties upon cyder and perry (the neceſſary charges of raiſing and accounting for the ſame excepted) ſhall, from time to time, be paid into the receipt of his Majeſty's exchequer, diſtinctly and apart from all other branches of the publick revenue.

Commiſſioners to appoint a ſufficient number of officers; and the duties to be paid into the exchequer apart from all other monies.

Makers of cyder or perry (not being compounders) to enter their names, and the mills, preſſes, or other utenſils, ſtore-houſes, and other places to be made uſe of at the next office of exciſe, 10 days before they begin to work. Penalty of uſing any unentered place or mill, &c. 25 l.

IX. And be it further enacted by the authority aforeſaid, That from and after the ſaid fifth day of *July*, one thouſand ſeven hundred and ſixty-three, all and every perſon and perſons, not being a compounder or compounders, who ſhall intend to make any cyder or perry, ſhall, ten days at leaſt before he, ſhe, or they ſhall begin to make cyder or perry, make a true and particular entry in writing, at the office of exciſe next to the place where ſuch cyder or perry ſhall be intended to be made, of the reſpective name or names of ſuch maker or makers, and of every mill or preſs, or other utenſil, belonging to him, her, or them, for the making of cyder or perry, and alſo of every ſtore-houſe, ware-houſe, cellar, or other place, wherein he, ſhe, or they, intend to make, lay, or keep any cyder or perry; and if any ſuch maker of cyder or perry ſhall, contrary to the directions of this act, make uſe of any mill, preſs, or other utenſil, or ſtore-houſe, ware-houſe, cellar, or other place, either for the making, laying, or keeping any cyder or perry, without having made ſuch entry as aforeſaid, he, ſhe, or they ſhall reſpectively forfeit and loſe the ſum of twenty-five pounds for every ſuch offence.

Officers of exciſe, upon requeſt made, are to have free acceſs in the day-time, to all places entered or made uſe of

X. And be it further enacted by the authority aforeſaid, That from and after the ſaid fifth day of *July*, one thouſand ſeven hundred and ſixty-three, all and every the officers of exciſe ſhall, at all times in the day-time, be permitted upon their requeſt, to enter the mill-houſe, ſtore-houſe, ware-houſe, cellar, and all other places whatſoever, belonging to, or uſed by, any perſon or perſons whatſoever, either for the making, laying, or keeping

keeping of cyder or perry, of which notice ſhall or ought to have been given as aforeſaid, who, at any time or times, from and after the ſaid fifth day of *July*, one thouſand ſeven hundred and ſixty-three, ſhall make any cyder or perry, and to gauge and take an account of all the cyder or perry which ſhall be there found, and ſhall thereof make return or report in writing to the reſpective commiſſioners of exciſe in *Great Britain*, or ſuch other perſon or perſons as they ſhall reſpectively appoint to receive the ſame, leaving a true copy of ſuch report in writing, under his or their hand, with or for ſuch maker of cyder or perry; and ſuch report or return of the ſaid officer or officers, ſhall be a charge upon ſuch maker or makers of cyder or perry; and the amount of the duties thereby charged, ſhall be paid by ſuch maker or makers reſpectively, within the ſpace of ſix weeks, to be computed from the time of making ſuch charge.

for making or keeping perry or cyder, and to gauge, and report the contents to the commiſſioners, leaving a copy for the maker. The duties to be paid according thereto, within 6 weeks from ſuch making charge;

XI. Provided always, That ſuch and the like allowances ſhall be made to the ſeveral perſons chargeable with the duties in this act, as have been uſually made to perſons chargeable with the duties upon cyder and perry by former laws.

and the uſual allowances to be made in reſpect thereof.

XII. And, for preventing ſuch frauds as might be committed by ſelling, or otherwiſe diſpoſing, of cyder or perry, made after the ſaid fifth day of *July*, one thouſand ſeven hundred and ſixty-three, under pretence of its having been made before the commencement of this act, and thereby evading the payment of the duty intended by this act to be charged thereupon; be it enacted by the authority aforeſaid, That every perſon having in his, her, or their poſſeſſion any cyder or perry made before the ſaid fifth day of *July*, one thouſand ſeven hundred and ſixty-three, and intending to ſell, or otherwiſe diſpoſe of, or remove out of his, her, or their own poſſeſſion, any quantity of ſuch cyder or perry, ſhall, ten days at the leaſt before the ſaid fifth day of *July*, one thouſand ſeven hundred and ſixty-three, give a true and particular account thereof in writing, ſigned by him, her, or them, at the office of exciſe next to the place where he, ſhe, or they ſhall then inhabit, that the officer of exciſe may attend to take an account thereof; and after ſuch account ſhall be delivered in, it ſhall be lawful for the officer and officers of exciſe to enter into the ſeveral places belonging to ſuch perſon or perſons, where ſuch cyder or perry ſhall be laid or kept, and to take an exact account thereof by gauging or otherwiſe; and it ſhall be lawful for him, upon a requeſt in writing from the perſon who has given in ſuch account, from time to time to grant certificates for the removal of a like quantity of cyder or perry, and no more, without charging the duty granted by this act, diſtinguiſhing, in ſuch certificates, that the cyder or perry was made before the commencement of the duty granted by this act.

Perſons intending to ſell, or remove any cyder or perry in their poſſeſſion, made before 5 July, 1763, are to ſend a ſigned particular thereof to the next office of exciſe, 10 days before the ſaid 5 July; that the officer may attend, and take an account thereof, and grant certificates occaſionally for the removal of a like quantity, without charging the duty, &c.

XIII. And, for the preventing of frauds in the removal of cyder or perry, and for ſecuring the duty granted by this act, be it further enacted by the authority aforeſaid, That from and after the ſaid fifth day of *July*, one thouſand ſeven hundred and ſixty-

No cyder or perry, exceed-

ing 6 gallons, to be removed, &c. without a certificate.

ſixty-three, no cyder or perry exceeding the quantity of ſix gallons, ſhall be removed or carried from any part of this kingdom, by land or by water, without a certificate (which the officers of exciſe are hereby required to give without fee or reward, upon requeſt of the perſon deſiring to remove ſuch cyder or perry) to accompany the ſame, ſigned by one or more of the officers of exciſe, ſignifying and certifying the quantity of ſuch cyder and perry, and the number of caſks or package containing the ſame, and the name of the perſon from whom the ſame is removed, and the place to which, and the name and place of abode of the perſon to whom, ſuch cyder or perry is to be ſent; and diſtinguiſhing therein, whether the ſame is to be removed from the mill where the ſame was made, into the premiſſes of any compounder, or of any perſon exempted by this act from paying duty, or compounding, or of any other perſon chargeable with the ſaid duty; and if removed out of the ſtock or ſtore-houſe of any compounder or other perſon, then diſtinguiſhing from whoſe ſtock or ſtore-houſe the ſame is intended to be removed, or whether the ſame was cyder or perry made before the commencement of the duty granted by this act; and if the ſame ſhall have been charged with the ſaid duty, or any other duty, then with what duty the ſame has been ſo charged; or if condemned, then that the ſame had been condemned as forfeited; upon pain of forfeiting the cyder or perry, together with the caſks, veſſels, or other package containing the ſame, which ſhall be found removing or carrying from one place to another, without ſuch certificate, and which ſhall and may be ſeized by any officer or officers of exciſe; in which certificate the officer or officers of exciſe who grant the ſame, ſhall expreſs and limit the time for which the ſame ſhall continue in force.

on forfeiture thereof, with the package.

Officers of exciſe may ſeize the ſame.

Time to be limited, for which the certificate is to be in force.

XIV. And whereas many of his Majeſty's ſubjects do make cyder or perry, part of which is intended not to be ſold, but to be conſumed in their own private families only: For the better accommodation of ſuch perſons, be it further enacted by the authority aforeſaid, That when any ſuch perſon ſhall be deſirous of compounding for the duties on cyder and perry to be conſumed in their own private families only, it ſhall be lawful for the ſaid reſpective commiſſioners of exciſe, for the time being, or the major part of them reſpectively, or ſuch perſon or perſons as they, or the major part of them, ſhall reſpectively appoint for that purpoſe; and in default of ſuch appointment, then for the collector and ſuperviſor for the diſtrict and diviſion within which ſuch perſon doth or ſhall inhabit, upon receiving from the perſon who ſhall ſo deſire to make ſuch compoſition, an exact liſt ſigned by him or her, of the ſeveral perſons whereof his or her family conſiſt, (ſpecifying their chriſtian and ſurnames therein) to compound and agree with ſuch perſon or perſons for the duty of four ſhillings granted by this act on cyder and perry, to be conſumed in their own private families only, at the rate of five ſhillings *per annum*, for the number of perſons which ſhall be mentioned in ſuch liſt; which compoſition

Perſons making cyder or perry to be conſumed in their own private families only may be admitted to compound for the duties, they giving in a liſt of the number in family, and paying at the rate of 5 s. per head, per annum.

Compoſition to be renewed annually, and

tion

tion ſhall laſt for one year, and be renewed annually, and the money ariſing thereby, ſhall be paid down at the reſpective times of making the compoſitions; and that the houſes, out-houſes, ſtore-houſes, cellars, or other places, of ſuch particular perſons making ſuch compoſition and agreement as aforeſaid, and paying ſuch compoſition-money, and duly complying with their payments thereupon, ſhall not be liable to the ſurvey or ſearch of any officer or officers of exciſe, for or by reaſon of his or their making cyder or perry as aforeſaid; and in caſe the family of the perſon making the compoſition ſhall be increaſed, at any time during the year compounded for, then every perſon whoſe family ſhall be ſo increaſed, ſhall deliver in an additional liſt containing the names of the ſeveral perſons added to the family, who ſhall then alſo pay down a proportionable compoſition for the perſons ſo added, *videlicet*, five pence for each calendar month that ſhall be unexpired of the year, for which his or her compoſition was made, for each and every perſon ſo added, and in like manner freſh liſts ſhall be delivered, and compoſitions made accordingly every year; and in caſe any perſon having compounded, ſhall neglect to deliver ſuch liſts, or to pay the compoſition-money from year to year, by the ſpace of ten days after the expiration of each reſpective year, the perſon ſo neglecting ſhall be charged by the officer of exciſe with the duty of four ſhillings for every hogſhead of cyder or perry, which ſhall be found in his or her cuſtody; which charge the officer or officers of exciſe are hereby required to make, and ſuch perſons ſhall become ſubject to the ſurvey of the ſaid officers; and if any perſon who ſhall compound in purſuance of the power hereby given, ſhall deliver in a liſt which does not contain the true number with the names of the ſeveral perſons of which his or her family then really conſiſted of; or if any perſon ſhall neglect to deliver in a liſt of the number and names of any increaſe that may happen in his or her family, according to the directions of this act, or to pay the proportionable compoſition as aforeſaid, the party ſo offending ſhall, for every ſuch offence reſpectively, forfeit the ſum of twenty pounds.

the money paid down at the ſame time.

Houſes, &c. of compounders exempted from ſurvey or ſearch.

Upon increaſe of the family a new liſt to be given in;

and 5 d. per month per head to be paid for the additional number, during the ſubſiſting unexpired term of the year.

Compounders neglecting to deliver in the liſts, and pay their compoſition-money, to be charged with the duty, and become liable to ſurvey.

Perſons delivering falſe or defective liſts, &c. forfeit 20 l.

XV. Provided always, That no compounder ſhall be obliged to inſert in ſuch liſt, the names of his or her children under the age of eight years, or to reckon them as part of his or her family.

Children under 8 years of age not to be inſerted in the liſts.

XVI. And as it may frequently happen that ſuch perſons who ſhall make compoſitions for the duties on cyder and perry to be conſumed in their own private families, may have larger quantities of cyder or perry than is neceſſary to be expended for the uſe of their reſpective families; to the end therefore that he, ſhe, or they, may be impowered to ſell, or otherways diſpoſe of, or remove any quantity of cyder or perry, and that his Majeſty's duties may be ſecured for the ſame, when and ſo often as any ſuch compounder or compounders ſhall be deſirous of ſelling, or otherways diſpoſing of, any cyder or perry, or of removing of the ſame, and ſhall have given to the officer of exciſe of the di-

Compounders may ſell, diſpoſe of, or remove, any cyder or perry more than ſufficient for their own uſe,

viſion

vision or place where his, her, or their ware-house or store-house, cellar or other place, for making, laying, or keeping, cyder or perry, shall be situate, two days notice in writing of his, her, or their intention to sell, or otherways dispose of, or remove any quantity of cyder or perry, specifying in such notice the particular quantity of cyder or perry he, she, or they intend to sell, or otherways dispose of or remove, and also the description of the particular ware-house, store-house, cellar, or place where such quantity of cyder or perry shall then be laid or kept, and of the place to which the same is intended to be removed or sent; the officer of excise, having received such notice, is hereby authorized and required to attend at the said store-house, ware-house, cellar, or other place, and then and there to enter the same, and to gauge and take an account of the particular quantity of cyder or perry so intended to be sold or otherwise disposed of or removed, and to charge thereon the said duty after the rate of four shillings for every hogshead, and thereof to make a return or report in writing to the commissioners of excise, or such other person or persons as they shall appoint to receive the same, leaving a true copy of such report in writing, under his or their hand, with or for such compounder or compounders; and such report or return of the said officer or officers shall be a charge upon such compounder or compounders; and after the duties are so charged, the said cyder or perry shall not be removed, on any pretence, without such certificate as aforesaid to accompany the same, to prevent the seizure thereof; and if any compounder or compounders for the duty on cyder or perry, to be consumed in his, her, or their own private family or families only, shall fraudulently sell, exchange, barter, or deliver out any cyder or perry to any person or persons contrary to the true meaning of this act, or shall sell or otherwise dispose of or remove any such cyder or perry, without having first given such notice as aforesaid, or before the duty granted by this act is charged thereon, he, she, or they shall respectively forfeit the sum of twenty pounds for every such offence.

giving 2 days notice to the proper officer,

who is to attend, and take an account thereof, and charge the duties,

and report the same to the excise office; leaving a copy with the compounder.

Such cyder or perry not to be afterwards removed without a certificate.

Compounders being guilty of any fraud,

forfeit 20l.

XVII. And whereas many makers of cyder or perry are not possessed of mills, or other proper utensils for making cyder or perry, but either hire or borrow the same of others for that purpose; and though the permitting makers of cyder or perry who have such mills and other utensils, and are compounders, to let out or lend their mills and utensils, may appear reasonable, yet considerable frauds may be practised thereby to the prejudice of his Majesty's revenue and the fair trader, unless such permission is granted under proper restrictions; to the end therefore that such persons may be accommodated, and that his Majesty's duty may be secured, be it enacted by the authority aforesaid, That no maker or makers of cyder or perry, being a compounder or compounders for the duty granted by this act for the cyder or perry to be consumed in his, her, or their family or families, shall, during the time he, she, or they shall

No compounder may let out, or lend his mill, or other utensils, for making

ſhall compound for the ſaid duty, let out or lend his, her, or their mill or mills, or other utenſil or utenſils, to any other perſon or perſons for the purpoſe of making cyder or perry, or permit or ſuffer the ſame, or any of them, to be uſed for the purpoſe aforeſaid, unleſs he, ſhe, or they, ſhall have given, or cauſed to have been given, to the officer of exciſe of the diviſion or place where his, her, or their mill or mills, or other utenſils, ſhall be ſituate, notice in writing by the ſpace of three days next before the time he, ſhe, or they, ſhall permit ſuch mill or mills, or other utenſils, to be uſed by or on the behalf of any other perſon or perſons for the making of cyder or perry, ſignifying thereby that he, ſhe, or they, have lent or let out his, her, or their mill or mills, or other utenſil or utenſils, and to whom by name, and whoſe apples or pears are therein to be ground, preſſed, and made into cyder or perry, and requiring ſuch officer of exciſe to attend at the mill or other place ſo to be made uſe of, to take an account of the cyder or perry which ſhall be there made, and to charge the duty granted by this act thereupon; unleſs it ſhall appear that the cyder or perry ſo made is really and *bona fide* the property of any other compounder for the duty on cyder or perry to be conſumed in his or her private family only, or to be the property of any perſon not liable as herein after mentioned to pay the ſaid duty, or to compound, within the meaning of this act; and ſuch cyder or perry ſhall not be removed, on any pretence, without ſuch certificate as aforeſaid to accompany the ſame, to prevent the ſeizure thereof: And if any maker or makers of cyder or perry, during the time he, ſhe, or they, ſhall compound for the duty granted by this act for cyder or perry to be conſumed in his, her, or their private family or families ſhall let out or lend his, her, or their mill or mills, or other utenſil or utenſils, to any other perſon or perſons for the purpoſe of making cyder or perry, or ſhall permit or ſuffer the ſame, or any of them, to be uſed for that purpoſe, without giving ſuch notice in writing, as aforeſaid, he, ſhe, or they, ſhall reſpectively forfeit and loſe for every ſuch offence the ſum of ten pounds.

cyder or perry,

without giving 3 days previous notice to the proper officer to attend, and charge the duties;

unleſs the cyder or perry be the property of another compounder, or of ſome perſon not liable to the duty;

and no part of it to be removed without a certificate;

under penalty of 10. l.

XVIII. Provided always, and it is hereby declared, That every perſon who uſes his or her own mill, preſs, or other utenſil for the making of cyder or perry for his or her own uſe, or procures cyder or perry to be made for him or her at the mill or preſs, or in the utenſil of another perſon, ſhall be deemed to be a maker of cyder or perry within the intent and meaning of this act.

Perſons uſing their own mills, &c. or procuring cyder or perry to be made at the mill, &c. of any other perſon, deemed makers.

XIX. Provided always, and it is hereby enacted and declared, That this act, or any thing therein contained, ſhall not extend to oblige any perſon or perſons who do or ſhall pay the compoſition eſtabliſhed by law for the duties on malt, during ſuch time as he, ſhe, or they, ſhall compound for the ſaid duties on malt, and no longer, to compound for or pay the duties on cyder or perry granted by this act, for the cyder or perry he, ſhe, or they ſhall make, to be conſumed in his, her, or their

Compounders for malt, not liable to compound, or pay duties, for cyder or perry, to be made and conſumed in their own families;

unleſs they ſhall ſell, or otherways diſpoſe of, any part thereof; in which caſe they are to comply with the directions given with reſpect to compounders in like circumſtances.

their private family or families only: but if ſuch compounder or compounders for the duties on malt ſhall be deſirous of ſelling, or otherways diſpoſing of or removing any cyder or perry, he, ſhe, or they, ſhall be obliged to comply with the ſeveral directions herein before appointed to be obſerved by compounders for the duty on cyder and perry granted by this act, under the like penalties and forfeitures, and the like powers and authorities, as are hereby enacted for regulating the ſame.

Occupiers of tenements not rated above 40 s. per ann. to the land tax, and not making more than 4 hogſheads of cyder and perry in the whole in a year, exempted from duties, or compounding.

XX. Provided always, and it is hereby enacted and declared, That this act, or any thing therein contained, ſhall not extend to oblige the occupiers of ſuch tenements as are not rated to the land tax, at above forty ſhillings *per annum*, and pay accordingly, and who ſhall not make more than four hogſheads of cyder and perry together in the whole, in any one year, to pay the duty granted by this act upon cyder and perry, or to compound for the ſame.

Duties on cyder and perry drawn back on exportation;

and upon diſtillation thereof into low wines and ſpirits;

and upon the ſame being made into vinegar, and charged with the duties as ſuch.

XXI. Provided always, and be it further enacted by the authority aforeſaid, That the ſaid duty of four ſhillings *per* hogſhead upon cyder or perry charged by this act, ſhall and may be drawn back on the exportation of ſuch cyder or perry, by the ſame means and methods, and under the ſame rules and directions, as the other duties, or any of them, now payable for cyder or perry, may be drawn back on the exportation thereof; and alſo, that the ſaid duty on cyder and perry granted by this act, ſhall be drawn back or allowed upon the diſtillation of cyder or perry into low wines and ſpirits, by the ſame means and methods, and under the ſame rules and directions, as the other duties, or any of them, now payable for cyder or perry, may be drawn back or allowed upon the diſtillation thereof; and in caſe any cyder or perry which has been charged with, and hath paid, the ſaid duty of four ſhillings granted by this act, ſhall hereafter, by being unfit for ſale as cyder or perry, be charged with the duties on vinegar, it ſhall be lawful for three or more of the commiſſioners of exciſe for the time being, or two juſtices of the peace, within their ſeveral juriſdictions, on proof that ſuch cyder or perry hath been charged with, and paid, the ſaid duty granted by this act, and that the ſame cyder or perry hath been alſo charged with the duties on vinegar, to diſcharge or allow the duty granted by this act, which they are hereby required to do.

50 l. penalty of oppoſing an officer in the execution of his office;

or of reſcuing,

XXII. And be it further enacted by the authority aforeſaid, That if from and after the ſaid fifth day of *July*, one thouſand ſeven hundred and ſixty-three, any perſon or perſons whatſoever ſhall aſſault, reſiſt, oppoſe, moleſt, or hinder, any officer or officers of exciſe in the due ſeizing or ſecuring of any cyder or perry which, by any officer or officers of exciſe, ſhall or may be ſeized by virtue or in purſuance of this act, or in the execution of any of the powers and authorities by this act given and granted; or ſhall, by force or violence, reſcue, or cauſe to be reſcued,

reſcued, any cyder or perry, after the ſame ſhall have been ſeized by ſuch officer or officers as aforeſaid, or ſhall attempt or endeavour ſo to do; or, after ſuch ſeizure, ſhall ſtave, break, or otherwiſe deſtroy or damage any caſks, veſſels, or package, wherein the ſame ſhall be contained; all and every the party or parties ſo offending, ſhall, for every ſuch offence reſpectively, forfeit and loſe the ſum of fifty pounds.

or ſtaving any cyder or perry after ſeizure made thereof.

XXIII. Provided always, and be it enacted by the authority aforeſaid, That no information ſhall be brought, laid, or proſecuted, againſt any maker of cyder or perry, for any falſe or miſentry, or for any offence made or committed from and after the fifth day of *July*, one thouſand ſeven hundred and ſixty-three, unleſs ſuch information be laid and entered before ſuch perſons appointed to determine the ſame, within three months next after ſuch offence committed; and that notice thereof be given to ſuch perſon or perſons (againſt whom ſuch information ſhall be laid) in writing, or left at their dwelling-houſes, within one week after the laying and entering ſuch information, to the end a timely proſecution may be had and made in defending the ſame; any thing in this act, or any other law, to the contrary notwithſtanding.

Informations for offences againſt this act by the makers of cyder or perry, to be laid within 3 months after committed; and notice thereof to be given them.

XXIV. And be it further enacted by the authority aforeſaid, That if either party think him, her, or themſelves, aggrieved by any judgment or order to be given or made by any juſtices of the peace, in purſuance of this preſent act, touching or concerning the duties hereby granted, or any penalty and forfeiture relating to the ſame; it ſhall and may be lawful to and for ſuch perſon or perſons, ſo finding him, her, or themſelves, aggrieved by ſuch judgment or order, to appeal from the ſame to the juſtices aſſembled at the next general quarter ſeſſions of the peace to be holden for the county, ſhire, or ſtewartry, where ſuch judgment or order ſhall have been made; which ſaid juſtices of the peace, or the major part of them, are hereby impowered to hear and finally determine the ſame; and no writ of *certiorari* ſhall be allowed or brought to ſet aſide any determination of the ſaid juſtices.

Perſons aggrieved by the judgment of any juſtices of the peace, touching the duties or penalties, may appeal to the quarter ſeſſions; and the determination of the ſaid court is to be final.

XXV. And be it further enacted by the authority aforeſaid, That the party or parties ſo appealing ſhall give notice in writing, by the ſpace of ſix days next before ſuch ſeſſions ſhall be held as aforeſaid, to the party or parties of the other ſide, of his, her, or their intention to bring ſuch appeal; and that it ſhall and may be lawful to and for ſuch juſtices, or the major part of them, in their quarter ſeſſions, to award coſts to either party as they ſhall, in their diſcretion, think fit, to be levied by warrant of the juſtices of the peace of ſuch county, ſhire, or ſtewartry, or any two or more of them, on the goods and chattels of the party or parties againſt whom the ſame ſhall be awarded.

Appellants to give notice to the other parties, and court to award coſts.

XXVI. Provided always, That in caſe there be not the ſpace of ſix days between the firſt judgment or order of the two juſtices, and the quarter ſeſſions then next following, that then

For want of ſufficient time intervening, appeal may

be made to the ſecond quarter ſeſſions.

the appeal may be made at the ſecond quarter ſeſſions after ſuch judgment or order made.

A re-hearing to be had of the merits of the caſe upon appeals;

XXVII. And be it further enacted by the authority aforeſaid, That upon each and every ſuch appeal and appeals, the juſtices aſſembled at ſuch quarter ſeſſions reſpectively, ſhall and may proceed to re-hear, re-examine, and re-conſider the truth and merits of the fact and facts in queſtion between the parties to ſuch original judgment and judgments reſpectively, and to re-examine the witneſſes thereto upon oath; and that thereupon the ſaid juſtices ſo aſſembled ſhall and may finally determine of and concerning the truth and merits of the fact, and facts in queſtion; and if at ſuch quarter ſeſſions any defect or defects of form ſhall be found in ſuch proceedings, before the particular juſtices who gave ſuch original judgment or judgments, that then and in every ſuch caſe, ſuch defect or defects of form ſhall and may be rectified by the order or orders of ſuch juſtices ſo aſſembled in ſuch quarter ſeſſions.

and defects of form in the original proceedings may be rectified by the court.

All powers, rules, methods, penalties, and clauſes in act 12 Car. II. or in any other act relating to the revenue of exciſe,

XXVIII. And be it further enacted by the authority aforeſaid, That all and every the powers, authorities, rules, methods, penalties, and forfeitures, clauſes, matters, and things, which in and by an act made in the twelfth year of the reign of King *Charles* the Second, intituled, *An act for taking away the court of wards and liveries, and tenures* in capite, *and by knights ſervice and purveyance, and for ſettling a revenue upon his Majeſty in lieu thereof*, or by any other law now in force relating to his Majeſty's revenue of exciſe upon beer, ale, or other liquors, are provided, ſettled, or eſtabliſhed, for ſecuring, enforcing, managing, raiſing, levying, collecting, paying, mitigating, or recovering, adjudging or aſcertaining, the duties or penalties thereby granted, and for preventing, detecting, and puniſhing, frauds relating thereto, (not otherwiſe altered by this act) ſhall be exerciſed, practiſed, applied, uſed, impoſed, levied, recovered, and put in execution, for the ſecuring, enforcing, managing, raiſing, levying, collecting, paying, mitigating, and adjudging, aſcertaining and recovering, the duties on cyder and perry, and penalties hereby granted, and for preventing, detecting, and puniſhing, frauds relating thereto, as fully and effectually, to all intents and purpoſes, as if all and every the ſaid powers, authorities, rules, directions, methods, penalties, and forfeitures, clauſes, matters, and things, were particularly repeated and again enacted in the body of this preſent act.

where not altered by this act, to be put in execution with reſpect to the duties on cyder and perry.

How the penalties and forfeitures relating thereto are to be recovered, mitigated, and applied.

XXIX. And be it further enacted by the authority aforeſaid, That all fines, penalties, and forfeitures, impoſed by ſuch part of this act as relates to cyder and perry, ſhall be ſued for, levied, recovered, or mitigated, by ſuch ways, means, and methods, as any fine, penalty, or forfeiture, is or may be ſued for, recovered, or mitigated, by any law or laws of exciſe, or by action of debt, bill, plaint, or information, in any of his Majeſty's courts of record at *Weſtminſter*, or in the court of exchequer in *Scotland* reſpectively; and that one moiety of every ſuch fine, penalty, or forfeiture, ſhall be to his Majeſty, his heirs,

heirs, and ſucceſſors, and the other moiety to him or them who ſhall diſcover, inform, or ſue for the ſame.

XXX. And whereas the duty by this act impoſed on cyder and perry, is required to be paid by the makers thereof: and whereas in the caſe of importation of cyder or perry from the iſlands of *Jerſey*, *Guernſey*, *Sark*, or *Alderney*, the makers of cyder or perry imported from thence cannot be charged with the ſaid duty; be it therefore enacted by the authority aforeſaid, That the ſaid duty of four ſhillings *per* hogſhead ſhall be paid by the importer from the ſaid iſlands, or either of them, before the landing thereof, to the collector or other officer of exciſe, at the port to which ſuch cyder or perry ſhall be brought; and upon neglect or refuſal to pay the ſaid duty, ſuch cyder or perry ſhall be forfeited, and ſhall and may be ſeized by any officer of exciſe.

Duty on cyder and perry brought from Jerſey, Guernſey, Sark, or Alderney, to be paid by the importer, before landing, on penalty of being ſeized and forfeited.

XXXI. And be it further enacted and declared by the authority aforeſaid, That in the office of the auditor of the receipt of the exchequer books ſhall be provided and kept, in which all the monies ariſing by the additional impoſitions, rates, and duties, upon wines and vinegar by this act granted, and the duties by this act granted upon cyder and perry, and reſpectively paid into the ſaid receipt, ſhall be ſeparately entered, diſtinct and apart from each other and from all other monies paid or payable to his Majeſty, his heirs, or ſucceſſors, upon any account whatſoever; and the ſaid monies ſo ariſing from the ſaid additional impoſitions, rates, and duties upon wines and vinegar, and the ſaid duties upon cyder and perry, and paid into the ſaid receipt of exchequer, ſhall be the fund for the purpoſes herein after mentioned.

The monies ariſing by the reſpective duties granted by this act to be entered in proper books in the auditor's office ſeparately from each other, and from all other monies; and to be a fund for the following purpoſes.

XXXII. And be it further enacted and declared by the authority aforeſaid, That the annuities which by this act are herein after directed to attend the principal ſum of three millions and five hundred thouſand pounds, ſhall be charged and chargeable upon, and payable out of, the ſaid additional impoſitions, rates, and duties by this act granted upon wines and vinegar, and the duties granted by this act upon cyder and perry, compoſing the fund hereby eſtabliſhed for the payment thereof; and the ſaid additional impoſitions, rates, and duties upon wines and vinegar, and the ſaid duties upon cyder and perry, are hereby appropriated for that purpoſe accordingly.

The ſaid duties appropriated for the payment of the annuities chargeable on the principal ſum of 3,500,000l. borrowed on the credit of this act.

XXXIII. And whereas the commons of *Great Britain* in parliament aſſembled, have reſolved, That towards the ſupply granted to his Majeſty in this preſent ſeſſion of parliament, the ſum of three millions and five hundred thouſand pounds be raiſed in manner following; that is to ſay, The ſum of two millions and eight hundred thouſand pounds by annuities, after the rate of four pounds *per centum per annum*, transferrable at the bank of *England*, and redeemable by parliament; and the ſum of ſeven hundred thouſand pounds, by two lotteries, to be drawn at different times, in the year one thouſand ſeven hundred and ſixty-three, each lottery to conſiſt of thirty-five thouſand tic-

kets, and every blank to be of the value of five pounds; the blanks and prizes to be attended with the like transferrable and redeemable annuities: and whereas purſuant to and upon the ſeveral terms and conditions expreſſed in the ſaid reſolution, ſeveral perſons have, in books opened at the bank of *England* for that purpoſe, ſubſcribed together, the whole of the ſaid ſum of three millions and five hundred thouſand pounds, and made depoſits with the caſhier or caſhiers of the governor and company of the bank of *England*, of twelve pounds and ten ſhillings *per centum*, in part of the ſums ſubſcribed towards the ſaid ſum of two millions and eight hundred thouſand pounds, and of ten pounds *per centum*, in part of the ſum ſubſcribed towards raiſing the ſum of three hundred and fifty thouſand pounds, upon each of the ſaid lotteries; be it therefore enacted by the authority aforeſaid, That it ſhall and may be lawful to and for all perſons, natives or foreigners, bodies politick or corporate, who, on or before the fifteenth day of *March*, one thouſand ſeven hundred and ſixty-three, ſhall have ſubſcribed towards the ſaid ſums, and made in reſpect thereof ſuch depoſits as aforeſaid, to advance and pay, and they or their executors, adminiſtrators, ſucceſſors, and aſſigns, are hereby required to advance and pay unto the caſhier or caſhiers of the ſaid governor and company of the bank of *England*, which caſhier or caſhiers is and are hereby appointed the receiver and receivers of ſuch contributions, without any other warrant to be had on that behalf, the ſeveral remainders of the ſums by them reſpectively ſubſcribed towards the ſaid ſum of three millions and five hundred thouſand pounds, at or before the reſpective times or days, and in the proportions herein after limited and appointed on that behalf; that is to ſay, in reſpect of their proportionable ſhare of the ſaid ſum of two millions and eight hundred thouſand pounds, the further ſum of twelve pounds and ten ſhillings *per centum*, being part of the ſum ſo remaining, on or before the tenth day of *May*, one thouſand ſeven hundred and ſixty-three; the further ſum of twelve pounds and ten ſhillings *per centum*, other part thereof, on or before the ſixteenth day of *June* then next following; the further ſum of twelve pounds and ten ſhillings *per centum*, other part thereof, on or before the twenty-firſt day of *July* then next following; the further ſum of twelve pounds and ten ſhillings *per centum*, other part thereof, on or before the thirtieth day of *Auguſt* then next following; the further ſum of twelve pounds and ten ſhillings *per centum*, other part thereof, on or before the twenty-ſeventh day of *September* then next following; the further ſum of twelve pounds and ten ſhillings *per centum*, other part thereof, on or before the twenty-firſt day of *October* then next following; and the remaining ſum of twelve pounds and ten ſhillings *per centum*, on or before the twenty-fourth day of *November* then next following; and in reſpect of their proportionable ſhare of the monies to be contributed on the firſt lottery, the remaining ſum of ninety pounds *per centum*, on or before the twenty-firſt day of *April*, one thouſand ſeven hundred

Subſcribers who, purſuant to a reſolution of the commons, have made depoſits of 12 l. 10 s. per cent. of the ſums ſubſcribed by them, towards the purchaſe of annuities on the ſum of 2,800,000 l. and of 10 l. per cent. in the ſum of 350,000 l. up on each of the lotteries, are to make their further payments, viz. in reſpect of their proportional ſhare of of 2,800,000 l. 12 l. 10 s. per cent. by 10 May, 12 l. 10 s. per cent. by 16 June, 12 l 10 s. per cent. by 21 July, 12 l. 10 s. per cent. by 30 Auguſt, 12 l. 10 s. per cent. by 27 Sept. 12 l. 10 s. per cent. by 21 October, and the re-

hundred and ſixty-three, for completing the payments in reſpect of the ſaid lottery; and in reſpect of their proportionable ſhare of the monies to be contributed on the ſecond lottery, the remaining ſum of ninety pounds *per centum*, on or before the eleventh day of *October* then next following, for completing the payments in reſpect of ſuch ſecond lottery.

maining 12 l. 10 s. per cent by 24 November, 1763; and in reſpect of the monies in the firſt lottery, 90 l. per cent. by 21 April, and of the ſecond lottery, 90 l. per cent. by 11 Oct. 1763.

XXXIV. And be it further enacted by the authority aforeſaid, That the ſeveral ſubſcribers or contributors, their executors, adminiſtrators, ſucceſſors, and aſſigns, in reſpect of the ſaid ſum of two millions and eight hundred thouſand pounds, ſhall be intitled to an annuity after the rate of four pounds *per centum per annum*, for and upon every one hundred pounds by them reſpectively ſubſcribed, advanced, and paid towards the ſaid ſum, redeemable by parliament; and ſhall alſo for every eighty pounds ſo ſubſcribed towards the ſaid ſum of two millions and eight hundred thouſand pounds, be intitled to a ticket in each of the ſaid lotteries, upon payment of the ſum of ten pounds for every ſuch ticket; and that the ſum of ſeven hundred thouſand pounds ſo raiſed by the ſaid lotteries, ſhall carry an annuity after the rate of four pounds *per centum per annum*, redeemable by parliament; and that all the ſaid annuities ſhall commence and be computed from the fifth day of *April*, one thouſand ſeven hundred and ſixty-three, and ſhall be paid by half-yearly payments, in even and equal portions, on the tenth day of *October* and the fifth day of *April* in every year.

Annuitants intitled to 4 l. per cent intereſt on the ſaid ſum of 2,800,000 l. and to a ticket in each lottery, for every 80 l. ſubſcribed, upon payment of 10 l. for ſuch ticket. The 700,000 l. raiſed by the lotteries to carry an annuity of 4 l. per cent. Annuities to take place on 5 April, 1763. and to be paid half-yearly, viz. on 10 Oct. and 5 April.

XXXV. And be it further enacted by the authority aforeſaid, That all ſuch ſubſcribers or contributors, their executors, adminiſtrators, ſucceſſors, and aſſigns, paying in the whole of the ſums by them reſpectively ſubſcribed towards the ſaid ſum of two millions and eight hundred thouſand pounds, on or before the eighteenth day of *October*, one thouſand ſeven hundred and ſixty-three; or paying in the whole of the ſums ſubſcribed towards the firſt lottery, on or before the twentieth day of *April*, one thouſand ſeven hundred and ſixty-three; or paying in the whole of the ſums ſubſcribed towards the ſecond lottery, on or before the tenth day of *October* then next following; ſhall be intitled to an allowance of ſo much money as the intereſt of the reſpective ſums ſo paid in ſhall amount to, after the rate of three pounds *per centum per annum*, from the day on which ſuch payments ſhall have been actually made, to the twenty-fourth day of *November*, one thouſand ſeven hundred and ſixty-three, in reſpect of the monies ſo paid for completing their contributions to the ſaid ſum of two millions and eight hundred thouſand pounds; and to the twenty-firſt day of *April*, one thouſand ſeven hundred and ſixty-three, in reſpect of the monies ſo paid for completing their contributions for the firſt lottery; and to the eleventh day of *October*, one thouſand ſeven hundred and ſixty-three, in reſpect of the monies ſo paid for completing their contributions for the ſecond lottery; which allowances

Contributors paying in the whole of their ſubſcriptions towards the ſaid ſum of 2,800,000 l on or before 18 Oct. or towards the firſt lottery on or before 20 Apr. or towards the ſecond lottery on or before 10 Oct. to be allowed intereſt for the ſame, at the rate of 3 l. per cent. per ann. from the time of ſuch payment, to 24 Nov in reſpect of the ſaid ſum of 2,800,000 l. and to 21 ſhall Apr. in re-

ſpect of the 1ſt lottery, and to 11 Oct. on the ſecond lottery.

ſhall be paid by the ſaid caſhiers out of the monies ſo contributed reſpectively, as ſoon as ſuch ſubſcribers or contributors, their executors, adminiſtrators, ſucceſſors, or aſſigns, ſhall have completed ſuch reſpective payments; and that all the ſubſcribers or contributors towards the ſaid lotteries, their executors, adminiſtrators, ſucceſſors, or aſſigns, paying in the whole of the ſums ſubſcribed towards each or either of the ſaid lotteries, ſhall alſo have tickets for the lottery, in reſpect whereof every ſuch payment ſhall be completed, delivered to them to the amount of the ſums ſo reſpectively paid, at the rate of ten pounds for each ticket, as ſoon as ſuch tickets can conveniently be made out.

And thoſe paying in the whole of their ſubſcription towards each of the ſaid lotteries, to have tickets delivered them to the amount of their ſubſcriptions.

Annuities transferrable at the bank.

XXXVI. And be it further enacted, That all the annuities aforeſaid ſhall be transferrable at the bank of *England*.

Caſhier of the bank to give receipts for the monies paid in;

XXXVII. And be it further enacted by the authority aforeſaid, That the caſhier or caſhiers of the governor and company of the bank of *England*, who ſhall have received or ſhall receive any part of the ſaid contributions towards the ſaid ſum of two millions and eight hundred thouſand pounds, ſhall give a receipt or receipts in writing to every ſuch contributor for all ſuch ſums, and that the receipts to be given ſhall be aſſignable, by indorſement thereupon made, at any time before the fifth day of *December*, one thouſand ſeven hundred and ſixty-three, and no longer.

which are aſſignable at any time before 5 Dec. 1763.

Caſhier to give ſecurity;

XXXVIII. Provided always, That ſuch caſhier or caſhiers ſhall give ſecurity to the good liking of any three or more of the commiſſioners of the treaſury, or the high treaſurer for the time being, for duly anſwering and paying into the receipt of his Majeſty's exchequer for the publick uſe, all the monies which they have already received, and ſhall hereafter receive from time to time, of and for the ſaid ſum of three millions and five hundred thouſand pounds, and for accounting duly for the ſame, and for performance of the truſt hereby in them repoſed; and ſhall from time to time pay all ſuch monies as ſoon as he or they ſhall receive the ſame, or any part thereof, or within five days afterwards at the fartheſt, and ſhall account for the ſame in the exchequer, according to the due courſe thereof, deducting hereout ſuch ſums as ſhall have been paid by him or them i purſuance of this act; for which ſums ſo paid allowance ſhall be made in his or their accounts.

and to pay the monies into the exchequer.

Treaſury to apply the monies to the ſervices voted by the commons.

XXXIX. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful for three or more of the commiſſioners of the treaſury, or the high treaſurer for the time being, to iſſue and apply, from time to time, all ſuch ſums of money as ſhall be ſo paid into the receipt of his Majeſty's exchequer by the ſaid caſhier or caſhiers, to ſuch ſervices as ſhall then have been voted by the commons of *Great Britain* in this preſent ſeſſion of parliament.

XL. And

Contributors names, &c. to be entered in the office of the accomptant-general of the bank.

XL. And be it further enacted by the authority aforeſaid, That in the office of the accomptant-general of the governor and company of the bank of *England* for the time being, a book or books ſhall be provided and kept, in which the names of the contributors ſhall be fairly entered; which book or books the ſaid reſpective contributors, their reſpective executors, adminiſtrators, ſucceſſors, and aſſigns, ſhall and may, from time to time, and at all ſeaſonable times, reſort to and inſpect without any fee or charge; and that the ſaid accomptant-general ſhall, on or before the fifth day of *July*, one thouſand ſeven hundred and ſixty-five, tranſmit an atteſted duplicate, fairly written on paper, of the ſaid book or books into the office of the auditor of the receipt of his Majeſty's exchequer, there to remain for ever.

Duplicate thereof to be tranſmitted into the auditor's office by 5 July, 1765.

Contributors duly paying their ſubſcriptions, intitled to a proportional ſhare in the annuities till redeemed by parliament,

XLI. And be it further enacted by the authority aforeſaid, That ſuch contributors, duly paying the whole ſum or ſums ſubſcribed at or before the reſpective times in this act limited in that behalf, and their reſpective executors, adminiſtrators, ſucceſſors and aſſigns, ſhall have, receive, and enjoy, and be intitled by virtue of this act; to have, receive, and enjoy their proportionable ſhare of the ſaid annuities of four pounds *per centum per annum*, by this act granted, and ſhall have good and ſure intereſts and eſtates therein, ſubject nevertheleſs to redemption, as is herein after mentioned; and that all the annuities by this act granted ſhall be free from all taxes, charges, and impoſitions whatſoever.

the ſame to be tax free.

Contributors not making good their payments within the time limited, to forfeit their depoſits,

XLII. Provided always, That in caſe any ſuch contributors who have already depoſited with, or ſhall hereafter pay to, the ſaid caſhier or caſhiers, any ſum or ſums of money at the times and in the manner before mentioned, in part of the ſum or ſums ſo by them reſpectively ſubſcribed towards the ſaid ſum of two millions and eight hundred thouſand pounds, or their reſpective executors, adminiſtrators, ſucceſſors, or aſſigns, ſhall not advance and pay to the ſaid caſhier or caſhiers the reſidue of the ſum or ſums ſo ſubſcribed at the times and in the manner before mentioned, then, and in every ſuch caſe, ſo much of the reſpective ſum or ſums ſo ſubſcribed as ſhall have been actually paid in part thereof to the ſaid caſhier or caſhiers ſhall be forfeited for the benefit of the publick; and all right and title to the ſaid annuity after the rate of four pounds *per centum per annum* in reſpect thereof, ſhall be extinguiſhed; any thing in this act contained to the contrary thereof in any wiſe notwithſtanding.

and all right to the ſaid annuities.

Principal ſums to be placed to the credit of the reſpective contributors:

XLIII. And be it further enacted by the authority aforeſaid, That as ſoon as any contributors, their executors, adminiſtrators, ſucceſſors, or aſſigns, ſhall have completed their payments of the whole ſum payable by them reſpectively towards the ſaid ſum of two millions and eight hundred thouſand pounds, the principal ſum or ſums ſo by them ſubſcribed and paid reſpectively, ſhall forthwith be, in the books of the bank of *England*, placed to the credit of ſuch reſpective contributors, their executors,

cutors, administrators, successors and assigns completing such payments respectively; and the persons to whose credit such principal sum shall be so placed, their respective executors, administrators, successors or assigns, shall and may have power to assign and transfer the same, or any part, share, or proportion thereof, to any other person or persons, body or bodies politick or corporate whatsoever, in the books of the bank of *England*: and such sums shall carry an annuity after the rate of four pounds *per centum per annum*, redeemable by parliament, and shall be taken and deemed to be stock transferrable, according to the true intent and meaning of this act, until redemption thereof in such manner as is herein after mentioned.

The same may be assigned,

and carry annuities of 4l. per cent.

XLIV. And it is hereby enacted by the authority aforesaid, That if at any time or times it shall happen that the produce of the fund by this act established for payment of the said annuities, shall not be sufficient to pay and discharge the same, and other charges directed to be paid at the end of any or either of the respective half-yearly days of payment, at which the same are hereby directed to be paid; then and so often, and in every such case, such deficiency or deficiencies shall and may be supplied out of any of the monies which at any time or times shall be or remain in the receipt of the exchequer, of the surpluses, excesses, overplus monies, and other revenues composing the fund commonly called *The Sinking Fund*, (except such monies of the said sinking fund as are appropriated to any particular use or uses by any former act or acts of parliament in that behalf;) and such monies of the said sinking fund shall and may be from time to time issued and applied accordingly; and if, at any time or times before any monies of the said duties shall be brought into the exchequer as aforesaid, there shall happen to be a want of money for paying the said annuities, which shall be actually incurred and grown due at any of the half-yearly days of payment before mentioned, that then, and in every such case, the money so wanted shall and may be supplied out of the monies of the sinking fund (except as before excepted) and be issued accordingly.

Deficiencies of the fund established for payment of the said annuities, to be made good from time to time out of the sinking fund:

XLV. Provided always, and be it enacted by the authority aforesaid, That whatever monies shall be issued out of the sinking fund, shall from time to time be replaced by and out of the first supplies to be then after granted in parliament.

which are to be replaced out of the first supplies.

XLVI. Provided always, and be it enacted by the authority aforesaid, That in case there shall be any surplus or remainder of the said additional impositions, rates, and duties, upon wines and vinegar, and of the said duties upon cyder and perry, by this act granted and established, as the fund for payment of the said annuities, after the said annuities and charges and all arrears thereof are satisfied, or money sufficient shall be reserved for that purpose; such surplus or remainder shall from time to time be reserved for the disposition of parliament, and shall not be issued but by the authority of parliament, and as shall be directed by future act or acts of parliament; any thing in any former

Surplus monies reserved for the disposition of parliament.

former or other act or acts of parliament to the contrary notwithstanding.

Managers and directors of the lottery to be appointed by the treasury.

XLVII. And, for eſtabliſhing a proper method for drawing the ſaid lotteries, be it further enacted by the authority aforeſaid, That ſuch perſons as any three or more of the commiſſioners of his Majeſty's treaſury, or the high treaſurer for the time being, ſhall nominate or appoint, ſhall be managers and directors for preparing and delivering out tickets, and to overſee the drawing of lots, and to order, do, and perform, ſuch other matters and things as are hereafter in and by this act directed and appointed by ſuch managers and directors to be done and performed; and that ſuch managers or directors ſhall meet together, from time to time, at ſome publick office or place for the execution of the powers and truſts in them repoſed by this act; and that the ſaid managers and directors, or ſo many of them as ſhall be preſent at any ſuch meeting, or the major part of them, ſhall, for each of the ſaid lotteries, cauſe books to be prepared, in which every leaf ſhall be divided or diſtinguiſhed into three columns; and upon the innermoſt of the ſaid three columns there ſhall be printed thirty-five thouſand tickets, to be numbered I, II, III, and ſo onwards in an arithmetical progreſſion, where the common exceſs is to be one, until they riſe to and for the number of thirty-five thouſand; and upon the middle column in every of the ſaid books ſhall be printed thirty-five thouſand tickets of the ſame breadth and form, and numbered in like manner; and in the extreme column of the ſaid books there ſhall be printed a third rank or ſeries of tickets, of the ſame number with thoſe of the other two columns; which tickets ſhall ſeverally be of an oblong figure, and in the ſaid books ſhall be joined with oblique lines, flouriſhes, or devices, in ſuch manner as the ſaid managers and directors, or the major part of them, ſhall think moſt ſafe and convenient; and that every ticket in the ſaid third or extreme column of the ſaid books, for the firſt lottery, ſhall have written or printed thereupon (beſides the number of ſuch ticket) words to this effect:

Method of the lottery books.

35,000 tickets to be printed off.

FIRST LOTTERY, 1763.

THE *bearer hereof is intitled to five pounds, in annuities, at the rate of four pounds* per centum per annum, *attending the firſt lottery, to be drawn purſuant to an act of parliament made in the third year of his Majeſty's reign, or to a better chance.*

and that every ticket in the third or extreme column of the ſaid books, for the ſecond lottery, ſhall have written or printed thereupon (beſides the number of ſuch ticket) words to this effect:

SECOND

SECOND LOTTERY, 1763.

THE *bearer hereof is intitled to five pounds, in annuities, at the rate of four pounds* per centum per annum, *attending the ſecond lottery, to be drawn purſuant to an act of parliament made in the third year of his Majeſty's reign, or to a better chance.*

Managers to examine the books with the tickets, and deliver them after to the caſhiers of the bank, taking a receipt for the ſame.

XLVIII. And it is hereby enacted, that the ſaid managers and directors, or ſo many of them, as ſhall be preſent at any ſuch meeting, or the major part of them then preſent, ſhall carefully examine the ſaid reſpective books, with the tickets therein, and take care that the ſame be contrived, numbered, and made, according to the true intent and meaning of this act, and ſhall deliver, or cauſe to be delivered, the ſame books, and every or any of them reſpectively, as they ſhall be examined, to the ſaid caſhier or caſhiers, taking from ſuch caſhier or caſhiers, an acknowledgment in writing under his or their hand or hands, importing his or their receipt of ſuch book or books, and ſo many tickets therein as ſhall be delivered to him or them reſpectively; and all and every ſuch caſhier or caſhiers reſpectively is and are hereby directed and required, upon his or their receiving every or any entire ſum of ten pounds, in full payment of a ticket, for either of the ſaid lotteries, from any perſon or perſons contributing or adventuring as aforeſaid, to cut a ticket for ſuch reſpective lottery, out of the ſaid extreme column, in one of the books ſo to be put into his or their cuſtody, through the ſaid oblique lines, flouriſhes, or devices, indentwiſe, which ticket the ſaid caſhier or caſhiers ſhall ſign with his or their own name or names; and he or they ſhall permit the contributor, if it be deſired, to write his or her name or mark on the correſponding ticket in the ſame book; and at the ſame time the ſaid caſhier or caſhiers ſhall deliver to the ſaid contributor the ticket ſo cut off, which he, ſhe, or they, are to keep and uſe for the better aſcertaining and ſecuring the intereſt which he, ſhe, or they, his, her, or their executors, adminiſtrators, ſucceſſors, or aſſigns, ſhall or may have in the ſaid fund.

Caſhiers, to iſſue a ticket for every 10l. received, &c.

Caſhiers to return the books with the remainder of the tickets undiſpoſed, in reſpect of the firſt lottery, by 4 May; and of the ſecond, by 29 October;

XLIX. And be it further enacted by the authority aforeſaid, That the ſaid caſhier or caſhiers ſhall, at or before the reſpective times herein after limited, redeliver to the ſaid managers and directors, at their office or place of meeting, all the ſaid books, and therein all the tickets which the ſaid caſhier or caſhiers ſhall not have cut out and delivered to the reſpective contributors as aforeſaid; that is to ſay, ſuch of the ſaid books and tickets as relate to the firſt lottery, ſhall be ſo redelivered on or before the fourth day of *May*, one thouſand ſeven hundred and ſixty-three; and ſuch of the ſaid books and tickets as relate to the ſecond lottery, ſhall be ſo redelivered on or before the twenty-ninth day of *October*, one thouſand ſeven hundred and ſixty-three

and

and the ſaid caſhier or caſhiers ſhall, at the time of ſuch redelivery of the ſaid reſpective books, give to the ſaid managers and directors, a true and juſt account in writing, under his or their hand or hands, of all ſums of money which ſhall then have been received by him or them, for and upon account of the lottery in reſpect whereof ſuch books ſhall be ſo redelivered, and how much of ſuch monies ſhall have been actually paid by ſuch caſhier or caſhiers into the receipt of the exchequer, for the purpoſes herein mentioned; and that the ſaid managers and directors, or the major part of them, which ſhall be preſent as aforeſaid, ſhall forthwith cauſe all the tickets of the ſaid outermoſt columns, which ſhall not have been delivered to the contributors as aforeſaid, if any ſuch be, to be delivered into the receipt of his Majeſty's exchequer, there to be retained and kept as caſh, to be iſſued, ſold, and diſpoſed of, for raiſing money for the purpoſes in this act mentioned, as any three of the commiſſioners of his Majeſty's treaſury, or the high treaſurer for the time being, ſhall judge reaſonable and fitting.

and account for the monies received.

Tickets undiſpoſed of to be delivered into the exchequer.

L. And be it further enacted, That the ſaid managers and directors, or the major part of them which ſhall be preſent at any meeting as aforeſaid, ſhall cauſe all the tickets of the middle columns in the books made out with three columns as aforeſaid, which ſhall be delivered back to them, by or from the ſaid caſhier or caſhiers as aforeſaid, to be carefully rolled up and made faſt with thread or ſilk; and the ſaid managers or directors, or the major part of them as aforeſaid, ſhall in their preſence, and in the preſence of ſuch contributors or adventurers as will be there, cauſe all the ſaid tickets which are to be ſo rolled up and made faſt as aforeſaid, to be cut off indentwiſe through the ſaid oblique lines, flouriſhes, or devices, into a box to be prepared for that purpoſe, and to be marked with the letter (A) which is preſently to be put up into another ſtrong box, and to be locked with ſeven different locks and keys to be kept by as many of the ſaid managers, and ſealed with their ſeals or the ſeals of ſome of them, until the ſaid tickets are to be drawn as is herein after mentioned, and that the tickets in the firſt or innermoſt columns of the ſaid books, ſhall remain ſtill in the books, for diſcovering any miſtake or fraud (if any ſuch ſhould happen to be committed) contrary to the true meaning of this act.

Tickets of the middle columns to be rolled up, and faſtened with ſilk;

and cut off indentwiſe into a box marked with the letter (A) Box to be locked up and ſealed.

LI. And be it further enacted by the authority aforeſaid, That the ſaid managers and directors, or the major part of them, which ſhall be preſent at any meeting as aforeſaid, ſhall alſo prepare, or cauſe to be prepared, other books for each of the ſaid lotteries, in which every leaf ſhall be divided or diſtinguiſhed into two columns; and upon the innermoſt of thoſe two columns there ſhall be printed thirty-five thouſand tickets for each lottery; and upon the outermoſt of the ſaid two columns there ſhall be printed thirty-five thouſand tickets; all which ſhall be of equal length and breadth, as near as may be; which two columns in the ſaid reſpective books ſhall be joined with

Books to be prepared with two columns, on each of which 35,000 tickets to be printed.

with ſome flouriſh or device, through which the outermoſt tickets may be cut off indentwiſe; and that in each lottery five thouſand eight hundred tickets, part of thoſe to be contained in the outermoſt columns of the books laſt mentioned, ſhall be and be called the fortunate tickets, to which extraordinary benefits ſhall belong, as is herein aftermentioned; and the ſaid managers and directors, or the major part of them, or ſuch of them as ſhall be preſent at any meeting as aforeſaid, ſhall cauſe the ſaid fortunate tickets for each lottery to be written upon, or otherwiſe expreſſed, as well in figures as in words at length, in manner following; that is to ſay, upon two of them ſeverally, ten thouſand pounds, principal money; upon two of them ſeverally, five thouſand pounds, principal money; upon every one of four of them ſeverally, two thouſands pounds, principal money; upon every one of ten of them ſeverally, one thouſand pounds, principal money; upon every one of twenty-ſeven of them ſeverally, five hundred pounds, principal money; upon every one of one hundred and twenty-five of them ſeverally, one hundred pounds, principal money; upon every one of five hundred and thirty of them ſeverally, fifty pounds, principal money; upon every one of five thouſand and one hundred of them ſeverally, twenty pounds, principal money: which principal ſums ſo to be written, or otherwiſe expreſſed upon the ſaid fortunate tickets in each lottery, together with five hundred pounds, principal money, to be allowed to the owner of the firſt drawn ticket, and one thouſand pounds, principal money, to the owner of the laſt drawn ticket in each lottery, over and above the benefits which may happen to belong to the two laſt mentioned tickets and together with the ſum of five pounds to be paid or allowed for and upon each blank or unfortunate ticket of the ſaid lotteries, will amount in the whole, for each lottery, to the principal ſum of three hundred and fifty thouſand pounds, to be converted into annuities by virtue of this act, in reſpect of the ſaid lotteries; and the ſaid managers and directors, or the major part of them, who ſhall be preſent at any meeting as aforeſaid, ſhall cauſe all the ſaid tickets contained in the outermoſt columns of the ſaid laſt mentioned books for each lottery, to be in the preſence of the ſaid managers and directors, or the major part of them, which ſhall be preſent at any meeting as aforeſaid, and in the preſence of ſuch contributors or adventurers as will then be there, to be carefully rolled up and faſtened with thread or ſilk, and carefully cut out indentwiſe through the ſaid flouriſh or device, into another box to be prepared for this purpoſe, and to be marked with the letter (B) which box ſhall be put into another ſtrong box, and locked up with ſeven different locks and keys, to be kept by as many of the ſaid managers, and ſealed up with their ſeals, or the ſeals of ſome of them, until theſe tickets ſhall alſo be drawn in the manner and form herein after mentioned; and that the whole buſineſs of rolling up and cutting off, and putting into the ſaid boxes the ſaid tickets, and locking up and ſealing the ſaid boxes, ſhall be performed reſpectively

The number and value of the fortunate tickets.

The number and value of the fortunate tickets.

500l. to the firſt drawn ticket, and 1000l. to the laſt drawn.

Value of the blanks.

Tickets of the outermoſt columns of the laſt mentioned book to be rolled up and tied,

and cut out indentwiſe, into a box marked with the letter (B)

Box to be locked up and ſealed.

tively by the ſaid managers and directors, or ſuch of them as aforeſaid, before the laſt ſix days immediately preceding the day by this act appointed for the drawing the reſpective lottery, to which ſuch buſineſs ſhall relate: and to the end every perſon concerned may be well aſſured that the counterpart of the ſame number with his or her ticket is put into the box marked with the letter (A) from whence the ſame may be drawn, and that other matters are done as hereby directed, ſome publick notification in print ſhall be given of the preciſe time or times of putting the ſaid tickets for each of the ſaid lotteries into the ſaid boxes, to the end that ſuch adventurers as ſhall be minded to ſee the ſame done, may be preſent at the doing thereof.

Publick notice to be given of times of putting the tickets into the boxes.

LII. And be it further enacted by the authority aforeſaid, That on or before the thirtieth day of *May*, one thouſand ſeven hundred and ſixty-three, the ſaid managers and directors ſhall cauſe the ſaid ſeveral boxes, with all the tickets therein for the firſt lottery, and on or before the twenty-eighth day of *November*, one thouſand ſeven hundred and ſixty-three, the ſaid managers and directors ſhall cauſe the ſaid ſeveral boxes with the tickets therein for the ſecond lottery, to be reſpectively brought into the *Guildhall* of the city of *London*, ſo that the ſame may be there, and placed on a table provided for that purpoſe, by nine of the clock in the forenoon of the ſaid reſpective days, and ſhall then and there ſeverally attend this ſervice, and cauſe the two boxes, containing the ſaid tickets, to be ſeverally taken out of the other two boxes, in which they ſhall have been locked up; and the tickets or lots in the reſpective innermoſt boxes being, in the preſence of the ſaid managers and directors, or ſuch of them as ſhall be then preſent, and of ſuch adventurers as will be there for the ſatisfaction of themſelves, well ſhaken and mingled in each box diſtinctly; ſome one indifferent and fit perſon, to be appointed and directed by the ſaid managers, or the major part of them, or ſuch of them as ſhall be then preſent, ſhall take out and draw one ticket from the box where the ſaid numbered tickets ſhall be as aforeſaid put; and one other indifferent and fit perſon, to be appointed and directed in like manner, ſhall take out a ticket or lot from the box where the ſaid five thouſand eight hundred fortunate, and the twenty-nine thouſand two hundred blank tickets ſhall be promiſcuouſly put as aforeſaid; and immediately both the tickets ſo drawn ſhall be opened, and the number, as well of the fortunate as the blank ticket, ſhall be named aloud; and if the ticket taken or drawn from the box containing the fortunate and blank lots ſhall appear to be a blank, then the numbered ticket ſo drawn with the ſaid blank at the ſame time drawn, ſhall be both put upon one file; and if the ticket ſo drawn or taken from the box containing the fortunate and blank lots ſhall appear to be one of the fortunate tickets, then the principal ſum written upon ſuch fortunate ticket, whatſoever it be, ſhall be entered by a clerk, which the ſaid managers, or the major part of them as aforeſaid, ſhall employ and overſee for this purpoſe, into a book to be kept for entering

First lottery to begin drawing on or before 30 May; and the ſecond, on or before 28 Nov.

Method to be obſerved in drawing. &c.

entering the numbers coming up with the ſaid fortunate tickets, and the principal ſums whereunto they ſhall be intitled reſpectively, and two of the ſaid managers ſhall ſet their names as witneſſes to ſuch entries; and the ſaid fortunate and numbered tickets ſo drawn together, ſhall be put upon another file; and ſo the ſaid drawing of the tickets ſhall continue, by taking one ticket at a time out of each box, and with opening, naming aloud, and filing the ſame, and by entering the fortunate lots in ſuch method as is before mentioned, until the whole number of five thouſand eight hundred fortunate tickets, and one more for the laſt drawn as aforeſaid, ſhall be completely drawn in each lottery; and as the ſame cannot be performed in one day's time, the ſaid managers or directors ſhall cauſe the boxes to be locked up and ſealed in manner as aforeſaid, and adjourn till the next day, and ſo from day to day, and every day (except *Sundays*, *Chriſtmas-day*, thankſgiving and faſt days) and then open the ſame, and proceed as above, till the ſaid whole number of five thouſand eight hundred fortunate tickets, and one more, ſhall be completely drawn in each lottery reſpectively as aforeſaid; and afterwards the ſaid numbered tickets ſo drawn, with the fortunate tickets drawn againſt the ſame, ſhall be and remain in a ſtrong box locked up as aforeſaid, and under the cuſtody of the ſaid managers, until they ſhall take them out to examine, adjuſt, and ſettle the property thereof.

After each day's drawing, the boxes to be locked up and ſealed.

Numbers of the fortunate tickets, and the ſums, in each lottery, to be printed. Diſputes relating thereto, to be adjuſted by the managers. Penalty of forgingtickets or certificates,

LIII. And to the end the fortunate may know, whether abſent or preſent, to what degree they have been ſo, be it enacted, That the ſaid managers ſhall, as ſoon as conveniently may be, after the ſaid drawing of each lottery is over, cauſe to be printed and publiſhed, the number of the tickets drawn againſt each fortunate ticket, and the principal ſum written on the ſame; and if any contention or diſpute ſhall ariſe in the adjuſting the property of the ſaid fortunate tickets, the major part of the ſaid managers agreeing therein, ſhall determine to whom it doth or ought to belong; and if any perſon or perſons ſhall forge or counterfeit any ticket or tickets, certificate or certificates, to be made forth by this act, or alter any the numbers thereof, or utter, vend, barter, or diſpoſe of, or offer to diſpoſe of, any falſe, altered, forged, or counterfeit ticket or tickets, certificate or certificates, or ſhall bring any forged or counterfeit ticket or certificate, or any ticket or certificate the number whereof is altered (knowing the ſame to be ſuch) to the ſaid managers, or any of them, or to the caſhier or accomptant general of the bank of *England* for the time being, or to any other perſon or perſons whatſoever, with a fraudulent intention, then every ſuch perſon or perſons being thereof convicted in due form of law, ſhall be adjudged a felon, and ſhall ſuffer death as in caſes of felony, without benefit of clergy; and the ſaid managers and directors, or any two or more of them, are hereby authorized, required, and impowered, to cauſe any perſon or perſons bringing or uttering ſuch forged or counterfeit ticket or tickets, certificate or certificates as aforeſaid, to be apprehended, and to commit him,

Felony.

her, or them, to his Majeſty's gaol of newgate, or to the common gaol of the county or place where ſuch perſon or perſons ſhall be ſo apprehended, to be proceeded againſt for the ſaid felony according to law.

Managers to be ſworn.

LIV. Provided always, and it is hereby enacted by the authority aforeſaid, That every perſon that ſhall be appointed as aforeſaid, to be a manager and director for putting this act in execution, before his acting in ſuch commiſſion, ſhall take the oath following; that is to ſay,

The oath;

I A. B. *do ſwear, That I will faithfully execute the truſt repoſed in me, as a manager and director of the lotteries, eſtabliſhed by an act made in the third year of his preſent Majeſty's reign; and that I will not uſe any indirect art or means, or permit or direct any perſon to uſe any indirect art or means, to obtain a prize or fortunate lot, for myſelf, or any other perſon whatſoever; and that I will do the utmoſt of my endeavour to prevent any undue or ſiniſter practice to be done by any perſon whatſoever; and that I will, to the beſt of my judgment, declare to whom any prize, lot, or ticket, of right does belong, according to the true intent and meaning of the ſaid act.*

to be adminiſtered by 2 managers.

which ſaid oath ſhall and may be adminiſtered by any two or more of the other managers and directors.

Caſhier, on receiving the reſidue of the ſums ſubſcribed,

LV. Provided always, That it ſhall and may be lawful to and for the ſaid caſhier or caſhiers, having given ſecurity as aforeſaid, at any time or times before ſuch caſhier or caſhiers ſhall have received any book or books for the ſaid reſpective lotteries from the ſaid managers, comprehending the ſaid thirty-five thouſand tickets for each lottery in three columns as aforeſaid, to receive from any perſon or perſons who will voluntarily offer, contribute, and advance the reſidue of any ſum of ten pounds, or ſeveral ſums of ten pounds, upon this act as aforeſaid, the ſums ſo offered to be contributed or advanced at one entire payment, upon both or either of the ſaid lotteries, or in ſuch proportions and manner as aforeſaid, before ſuch caſhier or caſhiers ſhall have received ſuch reſpective book or books; and the ſaid caſhier or caſhiers ſhall give a note or receipt under his or their hand or hands, for the ſum or ſums ſo contributed, ſpecifying the lottery in reſpect whereof ſuch monies are paid; and ſhall be obliged thereby, and by this act, to give the bearer of every ſuch note or receipt, a ticket or tickets of the extreme column of the three columns book or books aforeſaid in the ſame lottery, for every ten pounds ſo contributed, paid, or anſwered, as ſoon as he or they ſhall be enabled thereunto, by delivery of any ſuch book or books to him or them from the ſaid managers as aforeſaid; any thing herein contained to the contrary notwithſtanding.

to give receipts for the ſame;

and the bearers intitled to 1 lottery ticket for every 10 l. ſo paid.

Contributors, not making good their

LVI. Provided alſo, That in caſe any ſuch contributor or adventurer as aforeſaid, who ſhall have advanced and paid down

payments with respect to the said lotteries, within the times limited, to forfeit their deposits.

down to such cashier or cashiers, a proportion of his, her, or their consideration-money towards the said respective lotteries, his, her, or their executors, administrators, successors or assigns, do not advance and pay unto such cashier or cashiers the remaining part of his, her, or their consideration-money so to be paid in full for such tickets as aforesaid, on or before the respective times for paying thereof, as aforesaid, that then, and in every such case, every such contributor or adventurer shall forfeit and lose to his Majesty, for the use of the publick, the proportion of his, her, or their purchase-money which he, she, or they shall have so paid down as aforesaid, towards and upon account of the lottery in relation to which such default shall be made; and in such case, no ticket or tickets for such lottery shall be delivered out by the said cashier or cashiers to such contributor or contributors making such default, but the ticket and tickets which should have been delivered to such contributor and contributors, had they paid the full money for the same, shall be returned and delivered to the said managers and directors by the said cashier or cashiers, together with the other ticket or tickets (if any) in the outermost column of the respective book and books first herein mentioned, and directed to be prepared, which shall not have been disposed of to contributors as aforesaid; and such ticket and tickets, upon and for which defaults of payment shall have been made as aforesaid, shall be delivered into the receipt of his Majesty's exchequer, with other the said undisposed tickets (if any) there to be retained and kept as cash, and to be issued, sold, and disposed of, for the purposes, and in the manner, herein before directed and appointed with respect to the said undisposed tickets; and the said contributor and contributors making such default, shall not have or receive, or be intituled to have or receive, any benefit or advantage for or in respect of the money which he, she, or they shall have paid for or towards the purchase of such ticket or tickets; any thing herein contained to the contrary notwithstanding.

and the tickets for such sums to be delivered back into the exchequer.

Treasury to reward the managers and clerks, and defray all incidental charges of the lottery.

LVII. Provided also, and it is hereby enacted by the authority aforesaid, That out of the monies to arise by and out of any of the supplies granted in this session of parliament, it shall and may be lawful to and for any three or more of the commissioners of the treasury, or the high treasurer for the time being, to reward the said managers and directors, and the clerks and officers to be employed by and under them, and any other officers and persons that shall and may be any ways employed in this affair, for their labour and pains, and to discharge such incident expences as shall necessarily attend the execution of this act, in such manner as any three or more of the commissioners of the treasury, or the high treasurer for the time being, shall, from time to time, think fit and reasonable in that behalf; any thing in this act contained to the contrary notwithstanding.

Limitation of sale of chances, &c.

LVIII. And be it further enacted by the authority aforesaid, That no person or persons shall sell the chance or chances of any ticket or tickets, or any share or shares of any ticket or tickets, in

in each or either of the ſaid lotteries, for a day, or part of a day, or for a longer time leſs than the whole time of drawing the lottery, then to come; or ſhall receive any money whatſoever in conſideration of the re-payment of any ſum or ſums of money, caſe any ticket or tickets in each or either of the ſaid lotteries ſhall prove fortunate; or ſhall lay any wager relating to the drawing of any ticket or tickets, either as to the time of ſuch ticket or tickets being drawn, or whether ſuch ticket or tickets be drawn fortunate or unfortunate; and all and every perſon and perſons who ſhall offend in any of the aforeſaid matters, ſhall forfeit and pay treble the ſum and ſums of money which ſhall have been received by ſuch perſon and perſons, contrary to the true intent and meaning of this act; to be recovered by action of debt, bill, plaint, or information, in any of his Majeſty's courts of record at *Weſtminſter*: in which no eſſoin, protection, privilege, or wager of law, or more than one imparlance, ſhall be allowed; one moiety whereof to be for the uſe of his Majeſty, his heirs, or ſucceſſors, and the other moiety to be paid to the perſon or perſons who ſhall ſue for the ſame; and every ſuch ſale, wager, or contract, and every agreement relating thereto, ſhall be, and is hereby declared null and void. Penalty.

LIX. And be it further enacted by the authority aforeſaid, That if any perſon or perſons ſhall keep any office or offices, or ſhall print or publiſh any ſcheme or propoſal, for receiving any ſum or ſums of money in conſideration of any intereſt to be granted for the ſame, in any ticket or tickets in each or either of the ſaid lotteries, whereof ſuch perſon or perſons ſhall not then be actually poſſeſſed; or in conſideration of any ſum or ſums of money to be repaid in caſe any ticket, or number of tickets, in each or either of the ſaid lotteries, which ſhall not be in the actual poſſeſſion of ſuch perſon or perſons, ſhall prove fortunate or unfortunate; all and every ſuch perſon and perſons ſhall forfeit and pay the ſum of five hundred pounds; to be recovered by action of debt, bill, plaint or information, in any of his Majeſty's courts of record at *Weſtminſter*; in which no eſſoin, protection, or wager of law, or more than one imparlance, ſhall be allowed; one moiety whereof to be for the uſe of his Majeſty, his heirs, or ſucceſſors, and the other moiety to be paid to the perſon or perſons who ſhall ſue for the ſame; and alſo ſhall ſuffer three months impriſonment without bail or mainprize. Perſons ſelling ſhares in tickets of which they are not poſſeſſed. forfeit 500l.

LX. And be it further enacted by the authority aforeſaid, That if any offence againſt this act, or any of the acts of parliament made in this kingdom, for preventing private and unlawful lotteries, ſhall be committed in *Ireland*, the offender ſhall incur the like penalty and puniſhment to be inflicted in like manner as if the offence was committed in this kingdom; and that ſuch penalties as by this act, or any of the ſaid acts, are directed to be recovered in any of his Majeſty's courts of record at *Weſtminſter*, ſhall, in caſe of offences committed againſt this Offences committed in Ireland againſt this act, or any of the acts for preventing unlawful lotteries, made puniſhable, and the penalties may be ſued for in Dublin.

this act, or any of the ſaid acts, in *Ireland*, be recovered in any of his Majeſty's courts of record in *Dublin*.

After the drawing of the lottery, the tickets to be exchanged for certificates.

LXI. And to the end that all and every the payments, as well upon the fortunate as upon the unfortunate tickets, may be more eaſily aſcertained, ſettled, and adjuſted, for the perſons who ſhall be and become intitled thereunto; be it further enacted by the authority aforeſaid, That as ſoon as conveniently may be, after the drawing of each lottery ſhall be completed and ended, all and every the ſaid tickets to be given out as aforeſaid ſhall be exchanged for certificates, to be ſigned by ſuch of the ſaid managers as ſhall be appointed for that purpoſe.

Managers to give notice of the time for taking in the tickets, and delivering out the certificates, &c.

LXII. And be it further enacted, That ſuch of the ſaid managers as any three or more of the commiſſioners of the treaſury, or the high treaſurer for the time being, ſhall appoint to take in the ſaid tickets, and deliver out the ſaid certificates for and in lieu thereof ſhall give timely notice, by advertiſement to be printed and publiſhed in manner as they ſhall think fit, of the days and times for taking in the ſaid tickets, and delivering out the ſaid certificates for and in lieu of the ſame; and every perſons certificate ſhall be numbered in courſe, in reſpect of each lottery, according to their bringing their tickets to the managers ſo to be appointed for exchanging the ſame; to which purpoſe ſuch managers ſhall enter, or cauſe to be entered into a book or books to be by them kept for that purpoſe for each lottery, the name of every perſon who ſhall bring any ticket or tickets to be exchanged for ſuch certificate or certificates, and the number or numbers of the ticket or tickets which ſhall be ſo brought by ſuch perſon or perſons, the value in principal money payable thereupon, and the day of the month, and the year of our Lord when the ſame was ſo brought; which reſpective book and books ſhall lie open in the office to be appointed for taking in the ſaid tickets to be exchanged for ſuch certificates, for all perſons concerned to peruſe; all which certificates ſhall be ſigned by the managers ſo to be appointed, or the major part of them, and be directed to the accomptant-general of the bank of *England* for the time being.

Books to be kept for entering the names of perſons bringing tickets to be exchanged; and the numbers of the ſaid tickets, &c.

Certificates to be ſigned, &c.

Accomptant-general of the bank is to give credit for the principal ſums contained in the certificates; and aſſignments may be made of the ſaid ſums, &c.

LXIII. And be it further enacted by the authority aforeſaid, That the ſaid accomptant-general of the bank of *England* for the time being, to whom the ſaid certificates are to be directed as aforeſaid, ſhall, upon receiving and taking in the ſaid certificates, or any of them, give credit to the perſons named therein, in a book or books to be by him provided and kept, for the principal ſums contained in every ſuch certificate; and the perſons to whoſe credit ſuch principal ſums ſhall be entered in the ſaid book or books, his, or their executors, adminiſtrators, ſucceſſors, and aſſigns, ſhall and may have power to aſſign or transfer the ſame, or any part, ſhare, or proportion thereof, to any other perſon or perſons, bodies politick or corporate whatſoever, in books to be prepared and kept by the ſaid accomptant-general; and the ſaid principal ſums ſo entered, aſſigned, or transferred,

ferred, ſhall carry the ſaid annuity of four pounds *per centum per annum*, and ſhall be taken and deemed to be ſtock transferrable by virtue of this act, until the redemption thereof in manner herein after mentioned; and the ſaid accomptant-general of the bank of *England* for the time being is hereby authorized and directed to cancel and file the certificates as they ſhall from time to time be received and taken in by him, and to give the perſons bringing in the ſame, a note under his hand, teſtifying the principal money for which they ſhall have credit in the ſaid book or books by reaſon or means of the certificates ſo received, taken in, and cancelled as aforeſaid, and of the annuities attending the ſame.

and he is to file and cancel the certificates, and give notes in lieu thereof.

LXIV. And, for the more eaſy and ſure payment of all the annuities eſtabliſhed by this act, be it further enacted by the authority aforeſaid, That the ſaid governor and company of the bank of *England*, and their ſucceſſors, ſhall, from time to time, until all the ſaid annuities, after the rate of four pounds *per centum per annum*, ſhall be redeemed, appoint and employ one or more ſufficient perſon or perſons within their office in the city of *London*, to be their chief or firſt caſhier or caſhiers, and one other ſufficient perſon within the ſame office, to be their accomptant-general; and that ſo much of the monies applicable to this purpoſe as ſhall be ſufficient, from time to time, to anſwer the ſaid annuities, and other payments herein directed to be made out of ſuch monies, ſhall, by order of the commiſſioners of the treaſury, or any three or more of them, or the high treaſurer for the time being, without any further or other warrant, to be ſued for, had, and obtained, in that behalf, from time to time, at the reſpective days of payment in this act appointed for payment thereof, be iſſued and paid at the ſaid receipt of exchequer to the ſaid firſt or chief caſhier or caſhiers of the ſaid governor and company of the bank of *England*, and their ſucceſſors for the time being, by way of impreſt and upon account, for the payment of the ſaid annuities payable by virtue of this act; and that ſuch caſhier or caſhiers to whom the ſaid money ſhall from time to time be iſſued, ſhall from time to time, without delay, pay the ſame accordingly, and render his or their accounts thereof, according to the due courſe of the exchequer.

A chief caſhier, and accomptant-general, to be appointed by the bank for paying the annuities.

Treaſury to iſſue money for that purpoſe to the ſaid caſhier;

who is to account for the ſame.

LXV. And be it further enacted by the authority aforeſaid, That the ſaid accomptant-general for the time being ſhall, from time to time, inſpect and examine all receipts and payments of the ſaid caſhier or caſhiers, and the vouchers relating thereto, in order to prevent any fraud, negligence, or delay; and that all perſons who ſhall be intitled to any of the annuities hereby granted, and all perſons lawfully claiming under them, ſhall be poſſeſſed thereof as of a perſonal eſtate, which ſhall not be deſcendable to heirs, nor liable to any foreign attachment by the cuſtom of *London*, or otherwiſe; any law, ſtatute, or cuſtom, to the contrary notwithſtanding.

Accomptant-general to examine the receipts and payments of the caſhier.

Annuities deemed a perſonal eſtate, &c.

The monies contributed towards the ſaid ſum of 3,500,000l. to be deemed 1 capital and joint ſtock transferrable.

LXVI. And be it further enacted by the authority aforeſaid, That all the monies to be advanced or contributed by virtue of this act, towards the ſaid ſum of three millions five hundred thouſand pounds, ſhall be deemed one capital and joint ſtock; and that all perſons and corporations whatſoever, in proportion to the monies by them ſeverally advanced for the purchaſe of the ſaid annuities, or to which they ſhall become intitled by virtue of this act, ſhall have, and be deemed to have, a proportional intereſt and ſhare in the ſaid ſtock, and in the ſaid annuities attending the ſame, after the rate aforeſaid; and that the ſaid whole capital or joint ſtock of three millions five hundred thouſand pounds, or any ſhare or intereſt therein, ſhall be aſſignable and transferrable as this act directs, and not otherwiſe.

Clauſe of redemption.

LXVII. Provided alſo, and it is hereby enacted by the authority aforeſaid, That at any time upon ſix months notice to be printed in the *London Gazette*, and fixed upon the *Royal Exchange* in *London*; and upon repayment by parliament, of the ſaid ſum of three millions five hundred thouſand pounds, or any part thereof, by payments not leſs than five hundred thouſand pounds, at one time, in ſuch manner as ſhall be directed by any future act or acts of parliament in that behalf, and alſo upon full payment of all arrearages of the ſaid annuities; then, and not till then, ſuch and ſo much of the ſaid annuities as ſhall be attending on the principal ſums ſo paid off, ſhall ceaſe and determine, and be underſtood to be redeemed; and that any vote or reſolution of the houſe of commons, ſignified by the ſpeaker in writing, to be inſerted in the *London Gazette*, and affixed on the *Royal Exchange* in *London* as aforeſaid, ſhall be deemed and adjudged to be ſufficient notice within the words and meaning of this act.

Transfer books to be kept by the accomptant-general.

LXVIII. And be it further enacted by the authority aforeſaid, That books ſhall be conſtantly kept by the ſaid accomptant-general for the time being, wherein all aſſignments or transfers of all ſums advanced or contributed towards the ſaid ſum of two millions eight hundred thouſand pounds, and of all ſums determined and aſcertained by the drawing of the ſaid lotteries, ſhall at all ſeaſonable times be entered and regiſtred; which entry ſhall be conceived in proper words for that purpoſe, and ſhall be ſigned by the parties making ſuch aſſignments or transfer; or, if ſuch parties be abſent, by their reſpective attorney or attornies thereunto lawfully authorized in writing, under his or their hand and ſeal, or hands and ſeals, to be atteſted by two or more credible witneſſes; and that the ſeveral perſons to whom ſuch transfers ſhall be made, ſhall reſpectively underwrite their acceptance thereof; and that no other method of aſſigning and transferring the ſaid annuities, or any part thereof, or any intereſt therein, ſhall be good or available in law.

Method of transferring ſtock.

Annuities deviſeable by will.

LXIX. Provided always, That all perſons poſſeſſed of any ſhare or intereſt in the ſaid ſtock of annuities, or any eſtate or intereſt therein, may deviſe the ſame by will in writing, atteſted by two or more credible witneſſes; but that no payment ſhall be made

made upon any ſuch deviſe, till ſo much of the ſaid will as relates to ſuch ſhare, eſtate, or intereſt in the ſaid ſtock of annuities, be entered in the ſaid office; and that in default of ſuch transfer or deviſe, ſuch ſhare, eſtate, or intereſt in the ſaid ſtock of annuities, ſhall go to the executors, adminiſtrators, ſucceſſors, and aſſigns; and that no ſtamp duties whatſoever ſhall be charged on any of the ſaid transfers: any law or ſtatute to the contrary notwithſtanding.

Entry to be made of ſuch clauſe in the will.

Transfer not liable to ſtamp duties.

LXX. Provided always, and be it enacted by the authority aforeſaid, That out of the monies ariſing from the contributions towards raiſing the ſaid ſum of three millions five hundred thouſand pounds, any three or more of the commiſſioners of the treaſury, or the high treaſurer for the time being, ſhall have power to diſcharge all ſuch incident charges as ſhall neceſſarily attend the execution of this act, in ſuch manner as to them ſhall ſeem juſt and reaſonable; and alſo to ſettle and appoint ſuch allowances as ſhall be thought proper for the ſervice, pains, and labour, of the ſaid caſhier or caſhiers for receiving, paying, and accounting for, the ſaid contributions; and alſo ſhall have power to make out of the fund by this act eſtabliſhed, or out of the ſinking fund, ſuch further allowances as ſhall be judged reaſonable, for the ſervice, pains, and labour of the ſaid caſhier or caſhiers, for receiving, paying, and accounting for the ſaid annuities payable by virtue of this act, and alſo for the ſervice, pains, and labour of the ſaid accomptant-general for performing the truſt repoſed in him by this act; all which allowances to be made as aforeſaid in reſpect to the ſervice, pains, and labour of any officer or officers of the ſaid governor and company, ſhall be for the uſe and benefit of the ſaid governor and company, and at their diſpoſal only.

Treaſury to pay all incident charges attending the execution of this act;

and to make an allowance to the caſhier, and accomptant-general;

to be at the diſpoſal of the governor and company of the bank.

LXXI. Provided always, and be it further enacted by the authority aforeſaid, That the ſaid governor and company of the bank of *England*, and their ſucceſſors, notwithſtanding the redemption of all or any of their own funds in purſuance of the acts for eſtabliſhing the ſame, or any of them, ſhall continue a corporation for the purpoſes of this act, till all the annuities by this act granted ſhall be redeemed by parliament as aforeſaid; and that the ſaid governor and company of the bank of *England*, or any member thereof, ſhall not incur any diſability for or by reaſon of their doing any matter or thing in purſuance of this act.

Bank to continue a corporation till theſe annuities be redeemed, &c.

LXXII. And be it further enacted, That no fee, reward, or gratuity whatſoever, ſhall be demanded or taken of any of his Majeſty's ſubjects, for receiving or paying the ſaid contribution-monies, or any of them, or for any tallies or receipts concerning the ſame, or for iſſuing the monies for paying the ſaid annuities, or any of them, or for any transfer of any ſum great or ſmall to be made in purſuance of this act, upon pain that any offender, or perſon offending by taking or demanding any ſuch fee, reward, or gratuity, ſhall forfeit the ſum of twenty pounds to the party aggrieved, with full coſts of ſuit, to be recovered by

No fee to be taken for receiving or paying the contribution-monies, annuities, &c.

on penalty of 20l.

action of debt, bill, plaint, or information in any of his Majeſty's courts of record at *Weſtminſter*, wherein no eſſoin, protection, privilege, or wager of law, injunction, or order of reſtraint, or any more than one imparlance, ſhall be granted or allowed.

LXXIII. And be it further enacted by the authority aforeſaid, That if any perſon or perſons ſhall at any time or times be ſued, moleſted, or proſecuted, for any thing by him or them done or executed in purſuance of, or by colour of this act, or of any matter or thing in this act contained, ſuch perſon or perſons ſhall and may plead the general iſſue, and give this act and the ſpecial matter in evidence, in his or their defence or defences; and if afterwards, a verdict ſhall paſs for the defendant or defendants, or the plaintiff or plaintiffs ſhall become nonſuited, or diſcontinue his, her, or their action or proſecution, or judgment ſhall be given againſt him, her, or them, upon demurrer or otherwiſe; then ſuch defendant or defendants ſhall have treble coſts awarded to him, her, or them, againſt ſuch plaintiff or plaintiffs.

General iſſue.

Treble coſts.

CAP XIII.

An act for more effectually ſecuring the payment of the duties upon malt, by preventing frauds in the obtaining of allowances, and the mixing of freſh corn or grain with corn or grain making into malt.

Preamble, reciting clauſe in act 33 Geo. II.

WHEREAS *by a clauſe in an act of parliament made in the thirty-third year of his late Majeſty's reign, intituled,* An act for granting to his Majeſty ſeveral duties upon malt, and for raiſing the ſum of eight millions by way of annuities and a lottery, to be charged on the ſaid duties; and to prevent the fraudulent obtaining of allowances in the gauging of corn making into malt; and for making forth duplicates of exchequer bills, tickets, certificates, receipts, annuity orders, and other orders, loſt, burnt, or otherwiſe deſtroyed; *it was enacted, That if, from and after the eighth day of* February, *one thouſand ſeven hundred and ſixty, any malſter or maker of malt, during the continuance of the duties on malt, ſhould not wet or ſteep his barley, or other corn or grain intended to be made into malt, in the ciſtern, uting-fat, or other veſſel, ſo as that the ſame ſhould be covered with water, and continue ſo covered in ſuch ciſtern, uting-fat, or other veſſel, for the full ſpace of forty hours from the time of its being firſt wet and covered with water as aforeſaid, before he ſhould obtain or take, or draw the water from the ſame, ſuch malſter or maker of malt ſhould in ſuch caſe not be intitled to the allowance of four buſhels in every twenty, in charging the ſaid duties by gauge either in the ciſtern or couch: and whereas there is not any proviſion made by the ſaid act for enabling the officers of exciſe to aſcertain when ſuch corn or grain is firſt begun to be ſo wetted or ſteeped, and conſequently, whether ſuch malſter or maker of malt is intitled to ſuch allowance as aforeſaid; and by reaſon of ſuch defect, the whole purpoſe of the ſaid clauſe has been intirely defeated: and whereas great frauds have been committed by the mixing of corn or grain with corn*

or

or grain ſteeping in order to be made into malt, whereby the revenue and the fair trader have been greatly injured: Be it therefore enacted by the King's moſt excellent majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons in this preſent parliament aſſembled, and by the authority of the ſame, That from and after the twenty-fourth day of *June*, one thouſand ſeven hundred and ſixty-three, during the continuance of any of the duties on malt, every malſter or maker of malt for home conſumption, (not being a compounder for the duties on malt) whoſe malt-houſe or malt-houſes is or are ſituate in any city, or the ſuburbs thereof, or in any market-town, ſhall, at leaſt twenty-four hours before he or ſhe ſhall begin to wet any corn or grain to be made into malt, give, or cauſe to be given, to the officer of exciſe under whoſe ſurvey ſuch malſter or maker of malt ſhall then be, a notice in writing of the particular hour or time of the day when he or ſhe intends to wet corn or grain to be made into malt; and every other malſter or maker of malt for home conſumption (not being a compounder for the duties on malt) whoſe malt-houſe or malt-houſes is or are not ſituate in any city, or the ſuburbs thereof, or in any market-town, ſhall, at leaſt forty-eight hours before he or ſhe ſhall begin to wet any corn or grain to be made into malt, give or cauſe to be given a like notice in writing; and in caſe any ſuch malſter or maker of malt ſhall not begin to wet his corn or grain, and immediately proceed to cover the whole thereof with water at the hour or time mentioned in ſuch reſpective notice, or within three hours next after the expiration of the ſaid hour and time, then, every ſuch notice ſhall be and is hereby declared to be null and void; and every ſuch malſter or maker of malt ſhall be obliged to give a freſh and like notice, before he or ſhe ſhall begin to wet his or her corn or grain; and that no ſuch malſter or maker of malt ſhall begin to wet any corn or grain to be made into malt, but between the hours of four in the morning and nine in the evening: and in caſe any ſuch malſter or maker of malt ſhall neglect or refuſe to give ſuch notice, or, having given notice which ſhall become void, ſhall neglect or refuſe to give a freſh and like notice, or, having given ſuch notice or notices, and begun to wet any corn or grain in purſuance thereof, ſhall neglect or refuſe immediately to proceed to cover the whole thereof with water, and to continue the ſame ſo covered for the full ſpace of forty hours from the time of its being firſt wet and covered, or ſhall begin to wet any corn or grain at any other time than between the hours of four in the morning and nine in the evening; or if any ſuch malſter or maker of malt, after the officer hath taken an account of the corn or grain ſteeping in the ciſtern, uting-fat, or other wetting place or utenſil, ſhall add any freſh corn or grain to the corn or grain ſo ſteeping; every ſuch malſter or maker of malt offending in any of the ſaid caſes, ſhall, for every ſuch offence reſpectively, forfeit and loſe the ſum of one hundred pounds.

Makers of malt for home conſumption, not being compounders, are to give due notice to the proper officer of exciſe, before their wetting any corn or grain for malt;

and if they do not keep to or near the time mentioned, they are to give freſh notice.

Hours of ſetting to work.

100 l. penalty of omitting their duty in the premiſes; or being guilty of any fraudulent tranſaction therein.

II. And be it further enacted by the authority aforeſaid, That the

Recovery, mitigation, and application of penalties.

the penalties or forfeitures for any offence againſt this act, ſhall and may be ſued for, levied and recovered, or mitigated, by the ſame ways, means, and methods, as any penalty or forfeiture given by any of the laws of exciſe upon beer, ale, and other liquors, can or may be ſued for, levied, recovered, or mitigated, or by any law or laws of exciſe, or by action of debt, bill, plaint, or information, in any of his Majeſty's courts of record at *Weſtminſter*; and that one moiety of ſuch penalties or forfeitures ſhall be to the uſe of his Majeſty, his heirs, and ſucceſſors, and the other moiety to him or them that ſhall diſcover, inform, or ſue for the ſame.

CAP. XIV.

An act for the encouragement of John Harriſon, *to publiſh and make known his invention of a machine or watch, for the diſcovery of the longitude at ſea.*

Preamble, reciting clauſes in act 12 Annæ,

WHEREAS *by an act made in the twelfth year of the reign of her late majeſty Queen* Anne, *intituled,* An act for providing a public reward for ſuch perſon or perſons as ſhall diſcover the longitude at ſea; *it is enacted, That in caſe the commiſſioners thereby appointed ſhall be ſo far ſatisfied of the probability of any ſuch diſcovery, as to think it proper to make experiment thereof, and ſhall certify the ſame to the commiſſioners of the navy, with the names of the perſons making propoſals for that purpoſe, then any ſum or ſums of money, not exceeding two thouſand pounds, ſhall be paid by the treaſurer of the navy to ſuch perſon or perſons as ſhall be appointed by the commiſſioners of the longitude, to make thoſe experiments: And it is thereby further enacted, That the firſt diſcoverer or diſcoverers of any method for finding the longitude, ſhall have a reward of ten thouſand pounds, if it determines the longitude to one degree of a great circle, or ſixty geographical miles; fifteen thouſand pounds, if to two thirds of that diſtance; and twenty thouſand pounds, if to one half of the ſame diſtance; to be paid by the treaſurer of the navy, by the appointment of the ſaid commiſſioners, when a ſhip ſhould ſail to any ſuch part of the* Weſt Indies *as they ſhould appoint, without loſing the longitude beyond the limits before mentioned: And it is thereby further enacted, That if any propoſal ſhould, in the judgment of the ſaid commiſſioners, be found of conſiderable uſe to the publick, the author thereof, ſhould have ſuch leſs reward as the ſaid commiſſioners ſhould think reaſonable: And whereas by an act made in the twenty-ſixth year of the reign of his late majeſty King* George *the Second, to render more effectual the act herein before recited, with regard to making experiments of propoſals for diſcovering the longitude, reciting the foreſaid act; and that* John Harriſon *had made propoſals for the purpoſes in the ſame act mentioned, with which the commiſſioners of longitude were ſo far ſatisfied, that they had thought it proper to make experiments thereof, and had certified the ſame from time to time to the commiſſioners of the navy, together with the name of the ſaid* John Harriſon; *and that the treaſurer of the navy had thereupon paid one thouſand two hundred and fifty pounds to the ſaid* John Harriſon,

26 Geo. 2.

Harriſon, *as part of the two thouſand pounds mentioned in the above-ſaid act of the twelfth of Queen* Anne; *and alſo reciting, That five hundred pounds had likewiſe been paid to Maſter* William Whiſton, *for the like purpoſes; ſo that only two hundred and fifty pounds remained out of the ſaid ſum of two thouſand pounds; and further reciting, That by continuing to encourage ingenious perſons to make further improvements and experiments in order to diſcover the longitude, ſuch diſcovery might at length be produced, as might effectually anſwer that end; it is enacted, That two thouſand pounds more might be iſſued and paid by the treaſurer of the navy for the making further experiments under the like directions as aforeſaid: And whereas by an act made in the ſecond year of his preſent Majeſty's reign for* 2 Geo. 3. *rendering more effectual the above-mentioned act of the twelfth year of Queen* Anne, *with regard to making experiments of propoſals for diſcovering the longitude, reciting to the effect above recited; and that the money granted for making experiments, purſuant to both of the ſaid acts, had been wholly expended, the further ſum of two thouſand pounds was granted by the ſaid act of the ſecond year of his preſent Majeſty, for the like purpoſes, and to be applied in the like manner: And whereas the utility of the invention of the ſaid* John Harriſon *has been proved in a late voyage to* Jamaica, *under the directions of the commiſſioners of the longitude: And whereas the ſaid commiſſioners at their meeting on the ſeventeenth day of* Auguſt *laſt did adjudge, that by the trial made of the ſaid inſtrument, it was found of conſiderable uſe to the publick, and did thereupon make an order for the payment of the ſum of two thouſand five hundred pounds to the ſaid* John Harriſon, *in manner therein mentioned*; videlicet, *one thouſand five hundred pounds, part thereof, immediately, and the remaining one thouſand pounds when he, or any perſon employed by him, ſhould return from making a further trial in the* Weſt Indies; *but it was to be underſtood, that the ſaid ſum of two thouſand five hundred pounds ſhould be eſteemed as part of either of the rewards granted by act of parliament for diſcovering the longitude: And whereas the ſaid* John Harriſon *has accordingly received the ſaid ſum of one thouſand five hundred pounds; and has repreſented to the commiſſioners of the longitude, That he would not by any means decline any further trial of the inſtrument or watch which he has invented, before the principles thereof ſhall be made publick; but that his preſent advanced age, the weakneſs of his ſight, and the danger of the voyage to the health and life of his ſon, upon whom alone the ſucceſs of the ſaid invention will depend, may riſk the loſs of ſo uſeful a diſcovery, not only to the diſadvantage of the ſaid* John Harriſon, *but alſo to the very great detriment of mankind: And whereas, the commiſſioners of longitude having received the ſaid repreſentation, did, at their meeting on the twenty-ſixth day of* February *laſt, unanimouſly agree to recommend to the ſaid* John Harriſon *to make an application to parliament, in order that his ſaid invention may be made known to the public, upon ſuch terms and in ſuch manner as to the parliament ſhall ſeem meet:* Therefore be it enacted by the King's moſt excellent majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled,

Upon a discovery by J. Harrison of the principles of his watch, and of the method of constructing the same, to the committee here mentioned,

assembled, and by the authority of the same, That so soon as the said *John Harrison*, his executors or administrators, shall make or cause to be made a full and clear discovery of the principles of his said instrument or watch for discovery of the longitude, and of the true manner and method in which the same is and may be constructed, unto the right honourable lord *Charles Cavendish*, the right honourable the earl of *Morton*, the right honourable lord *Willoughby* of *Parham*, *George Lewis Scott* esquire, fellow of the royal society, Master *James Short* fellow of the royal society, the reverend Master *John Mitchell* *Woodwardian* professor at *Cambridge*, Master *Alexander Cumming*, Master *Mudge* of *Fleet Street*, Master *William Frodsham*, Master *Andrew Dickie*, and Master *James Green* of *Fenchurch Street*, who,

and their publishing the same,

as well as the said *John Harrison*, are hereby required to publish and make the same known, so that other workmen may be enabled to make other such instruments or watches for the same purpose; and so soon as the said lord *Charles Cavendish*, the earl of *Morton*, lord *Willoughby* of *Parham*, *George Lewis Scott*, *James Short*, *John Mitchell*, *Alexander Cumming*, Master *Mudge*, *William Frodsham*, *Andrew Dickie*, and *James Green*, or the major part of them, shall certify in writing under their hands and seals,

and certifying such discovery to the commissioners of the navy; the commissioners are to make out bills for 5,000 l. payable to him by the treasurer of the navy.

to the commissioners of the navy, that the said *John Harrison* hath fully and clearly made the said discovery for the purposes aforesaid, then, upon producing such certificate, the said commissioners of the navy are hereby authorized and required to make out a bill or bills for the sum of five thousand pounds payable to the said *John Harrison*, his executors or administrators, by the treasurer of the navy; which sum the treasurer of the navy for the time being, is hereby required to pay immediately to him the said *John Harrison*, his executors or administrators, out of any money that shall be in his the said treasurer's hands unapplied for the use of the navy.

So soon as the said instrument shall by future trials appear to be a proper method for finding out the longitude, within the limits prescribed act 12 Annæ, and the commissioners of the longitude shall certify the same; bills are to be made out payable as aforesaid for the sums he shall be enti-

II. And be it enacted by the authority aforesaid, That so soon as it shall appear by future trial or trials, that the said instrument or watch invented by the said *John Harrison*, shall be a proper method for finding out the longitude within any of the limits prescribed by the aforesaid act of the twelfth year of Queen *Anne*, and the said commissioners of longitude, or the major part of them, shall certify the same accordingly, under their hands and seals to the commissioners of the navy for the time being, then the said commissioners are hereby authorized and required to make out a bill or bills for the respective sum or sums of money to which the said *John Harrison*, his executors, administrators, or assigns, shall be intitled by virtue of the same act; which sum or sums the treasurer of the navy is hereby required to pay to the said *John Harrison*, his executors, administrators, or assigns, out of any money which shall be in his hands unapplied to the use of the navy; first deducting thereout the before mentioned sum of fifteen hundred pounds already received by the said *John Harrison*, and the said sum of five thousand

thouſand pounds granted to him by this preſent act as aforeſaid.

tled to, by virtue of the ſaid act, deducting the ſums before received by him.

III. And be it further enacted by the authority aforeſaid, That no perſon or perſons, other than the ſaid *John Harriſon*, his executors, adminiſtrators, or aſſigns, ſhall have or be intitled to any of the reward granted by the ſaid act of the twelfth of Queen *Anne*, by means or on account of any inſtrument or inſtruments for keeping time, until the merits of the ſaid inſtrument or watch invented by the ſaid *John Harriſon*, ſhall be aſcertained; provided that the aſcertainment thereof ſhall be made within four years next after the paſſing of this act.

No other perſon to be intitled to a reward under the ſaid act, on account of any inſtrument for keeping time, till the merits of Harriſon's watch be aſcertained.

CAP. XV.

An act to prevent occaſional freemen from voting at elections of members to ſerve in parliament for cities and boroughs.

WHEREAS *great abuſes have been committed in making freemen of corporations, in order to influence elections of members to ſerve in parliament, to the great infringement of the rights of freemen of ſuch corporations, and of the freedom of elections:* To prevent ſuch practices for the future; be it enacted by the King's moſt excellent majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in parliament aſſembled, and by authority of the ſame, That from and after the firſt day of *May*, one thouſand ſeven hundred and ſixty-three, no perſon whatſoever claiming as a freeman to vote at any election of members to ſerve in parliament for any city, town, port, or borough in *England*, *Wales*, and the town of *Berwick* upon *Tweed*, where ſuch voter's right of voting is as a freeman only, ſhall be admitted to give his vote at ſuch election, unleſs ſuch perſon ſhall have been admitted to the freedom of ſuch city, town, port, or borough, twelve calendar months before the firſt day of ſuch election: And if any perſon ſhall preſume to give his vote as a freeman at any election of members to ſerve in parliament, contrary to the true intent and meaning of this act, he ſhall, for every ſuch offence, forfeit and pay the ſum of one hundred pounds to him, her, or them, who ſhall inform and ſue for the ſame; and the vote given by ſuch perſon ſhall be void and of no effect.

Preamble.

None to vote as freemen, at elections of members, but ſuch as have been admitted to their freedom 12 months before ſuch election; on penalty of 100l.

II. Provided always, That nothing herein contained ſhall extend, or be conſtrued to extend, to any perſon intitled to his freedom by birth, marriage, or ſervitude, according to the cuſtom or uſage of ſuch city, town, port, or borough.

Perſons intitled to their freedom, by birth, marriage, or ſervitude, excepted.

III. And be it further enacted by the authority aforeſaid, That if any mayor, bailiff, ſheriff, town clerk, or other officer of any corporation, or other perſon whatſoever, ſhall wilfully and fraudulently antedate, or cauſe to be antedated, any admiſſion of any freeman, ſuch mayor, bailiff, ſheriff, town clerk, officer,

Penalty of antedating the admiſſion of any freeman, 500l.

officer, or other perſon, ſhall, for every ſuch offence, forfeit and pay the ſum of five hundred pounds to him, her, or them, who ſhall inform and ſue for the ſame.

The books and papers of admiſſion of freemen to be open to inſpection, upon demand of a candidate, his agent, or 2 freemen, upon payment of 1 s. and copies and minutes of the admiſſions to be given, paying reaſonably for writing the ſame; and the books, &c. to be produced, if demanded, at every election,

IV. And be it further enacted by the authority aforeſaid, That the mayor, bailiff, ſheriff, town clerk, or other officer of any corporation, having the cuſtody of, or power over, the records of the ſame, ſhall, upon the demand of any candidate, or his agent, or any two freemen, on the payment of one ſhilling, permit ſuch candidate, agent, or freemen, between the hours of nine in the morning and three in the afternoon, at any time before, and within one month after, any ſuch election as aforeſaid to inſpect the books and papers wherein the admiſſion of freemen ſhall be entered; and to have copies or minutes of the admiſſion of ſo many freemen as ſuch candidate, agent, or freemen, ſhall think fit, upon paying to ſuch mayor, bailiff, ſheriff, town clerk, or other officer, a reaſonable charge for writing the ſame; and ſuch books and papers ſhall, if demanded by ſuch candidate, agent, or freemen, be produced by ſuch mayor, bailiff, ſheriff, town clerk, or other officer at every election, and be referred to, in caſe any diſpute ſhall ariſe touching the right of any perſon to give his vote thereat: And if ſuch mayor, bailiff, ſheriff, town clerk, or other officer, ſhall refuſe or deny ſuch candidate, agent, or freemen, the inſpection of ſuch books and papers, or to have copies or minutes thereof, or ſhall refuſe or neglect to produce ſuch books and papers at any election, if demanded and paid for in the manner herein before ſet forth, ſuch mayor, bailiff, ſheriff, town clerk, or other officer, ſhall, for every ſuch offence, forfeit and pay the ſum of one hundred pounds to him, her, or them, who ſhall inform and ſue for the ſame.

on penalty of 100 l.

The penalties may be recovered, with full coſts of ſuit;

V. And be it further enacted by the authority aforeſaid, That all forfeitures or penalties laid or impoſed by this act, ſhall be recovered, with full coſts of ſuit, by action of debt, bill, plaint, or information, in any of his Majeſty's courts of record at *Weſtminſter*; wherein no eſſoin, protection, wager of law, or more than one imparlance, ſhall be allowed.

provided the proſecution be commenced within a year.

VI. Provided always, and it is hereby further enacted and declared by the authority aforeſaid, That no perſon ſhall be liable to any forfeiture or penalty by this act laid or impoſed, unleſs proſecution be commenced within one year after ſuch forfeiture or penalty ſhall be incurred.

This act to be openly read by the returning officer, at all elections by freemen, immediately after act 2 Geo. 2.

VII. And be it further enacted by the authority aforeſaid, That the returning officer ſhall read, or cauſe to be read, openly, this act, at the time of election of members to ſerve in parliament for cities, towns, ports, or boroughs, where the right of election is in the whole, or in part, in freemen as aforeſaid, immediately after the reading of the act paſſed in the ſecond year of his late Majeſty's reign, intituled, *An act for the more effectual preventing bribery and corruption in the elections of members to ſerve in parliament.*

VIII. And

VIII. And be it further enacted by the authority aforeſaid, That nothing in this act ſhall extend, or be conſtrued to extend, to the cities of *London* or *Norwich*.

This act not to extend to London or Norwich.

CAP. XVI.

An act to impower the commiſſioners or governors of the royal hoſpital for ſeamen at Greenwich, *after defraying the neceſſary expences thereof, to provide for ſuch ſeamen worn out and become decrepit in the ſervice of their country, who ſhall not be provided for within the ſaid hoſpital; and to enable them to receive ſuch penſions as ſhall be granted them by the ſaid commiſſioners or governors, in the moſt eaſy and convenient manner; and for preventing frauds and abuſes attending the ſame.*

WHEREAS *by ſeveral acts of parliament, ſundry eſtates, rents, and ſums of money are granted, and ſpecially appropriated, for and towards the finiſhing and completing the building of the royal hoſpital for ſeamen at* Greenwich; *and for and towards the maintenance of the ſeamen in the ſaid hoſpital worn out and become decrepit in the ſervice of their country: And whereas no part of the ſaid eſtates, rents, and ſums of money, can be applied by the commiſſioners or governors of the ſaid hoſpital, for or towards the relief of any worn out or decrepit ſeamen, who are not provided for within the ſaid hoſpital: And whereas the revenues of the ſaid hoſpital will probably be ſufficient to provide for a conſiderable number of poor ſeamen, as out-penſioners, and it would tend to the increaſe and encouragement of ſeamen, if the ſaid commiſſioners or governors were enabled, after defraying the expences of the ſaid hoſpital, to provide for ſuch ſeamen as out-penſioners of the ſaid hoſpital:* Therefore, be it enacted by the King's moſt excellent majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That it ſhall and may be lawful to and for the commiſſioners or governors of the royal hoſpital for ſeamen at *Greenwich*, and they are hereby authorized and impowered, after defraying the neceſſary expences of the ſaid hoſpital, by and out of the eſtates, rents, revenues, or other monies belonging to the ſaid hoſpital, to provide for ſuch ſeamen worn out and become decrepit in the ſervice of their country, who ſhall not be provided for within the ſaid hoſpital; any thing in the ſaid acts to the contrary notwithſtanding.

Preamble.

The commiſſioners; after defraying the expences of the hoſpital, are impowered to grant out-penſions to ſuch worn-out and decrepit ſeamen in the King's ſervice, as are not provided for within the hoſpital.

II. And be it further enacted by the authority aforeſaid, That all aſſignments, bargains, ſales, orders, contracts, agreements, or ſecurities whatſoever, which ſhall be given or made by any out-penſioner, for, upon, or in reſpect of, any ſum or ſums of money, to become due on any out-penſion granted by the commiſſioners or governors of the ſaid hoſpital, ſhall be abſolutely null and void to all intents and purpoſes.

Aſſignments, &c. of pay, made by out-penſioners, void.

III. And, the more effectually to enable ſuch ſeamen to receive

ceive ſuch out penſions as ſhall be granted to them by the ſaid commiſſioners or governors, in the moſt eaſy and convenient manner, and for preventing frauds and abuſes attending the ſame; be it enacted by the authority aforeſaid, That it ſhall and may be lawful to and for the treaſurer of the ſaid hoſpital for the time being, and he is hereby authorized and required, as often as there ſhall be occaſion, to make out, or cauſe to be made out, two bills for every ſuch out penſion granted by the ſaid commiſſioners or governors; which bills ſhall be duplicates, and joined together with oblique lines, flouriſhes, or devices, in ſuch manner as the ſaid treaſurer ſhall think proper, and ſhall be made payable to ſuch out penſioner by the receiver-general of the land tax, collector of the cuſtoms, collector of the exciſe, or clerk of the cheque reſpectively, according to the appointment in ſuch bills; and the ſaid bills being numbered and dated, ſhall be ſigned by the ſaid treaſurer, or his firſt clerk, and atteſted by the ſteward or clerk of the cheque of the ſaid hoſpital, and be written or printed according to the following form:

Treaſurer of the hoſpital to make out duplicates of the out penſions, according to the annexed form.

THE FORM.

A. N° I. *Greenwich Hoſpital.*

SIR,

The form. PAY *to* B. D. *of* *in the county of* *out penſioner of* Greenwich Hoſpital, *upon producing the duplicate hereof, together with a certificate under the hands of the miniſter and church-wardens, or, in that part of* Great Britain *called* Scotland, *under the hands of the miniſter and two elders of the pariſh where the ſaid* B. D. *reſides, that the ſaid* B. D. *to the beſt of their knowledge and belief, is the perſon named in ſuch bill, the ſum of* *being on account of the out-penſion of the ſaid* B. D. *if the ſame ſhall be demanded within ſix calendar months from the date hereof; otherwiſe you are to return this bill to the treaſurer of the royal hoſpital at* Greenwich, *at the ſaid hoſpital.*

'To { The receiver-general of the land tax of the county of / The collector of the cuſtoms at the port of / The collector of the exciſe at / The clerk of the cheque at }

Signed (A. B.) *treaſurer of the royal hoſpital at* Greenwich, *or his firſt clerk.*

Atteſted (C. D.) *ſteward or clerk of the cheque of the royal hoſpital at* Greenwich.

By virtue of the act of the third of King George *the Third.*

N. B. *The*

N. B. *The perſonating or falſly aſſuming the name and character of any out-penſioner of* Greenwich Hoſpital, *in order to receive the out-penſion due to ſuch out-penſioner, or procuring any other to do the ſame, is made felony without benefit of clergy, by the third of King* George *the Third.*

Bills to be cut aſunder;

And as ſoon as the ſaid bills ſhall be ſo made out and ſigned, the ſaid treaſurer ſhall cauſe them to be cut aſunder, indentwiſe, through the oblique lines, flouriſhes, or devices; and ſhall cauſe one of the ſaid bills to be tranſmitted forthwith to the perſon nominated and ſpecified in ſuch bills, and the other of the ſaid bills to be tranſmitted forthwith to the ſaid receiver-general of the land tax, collector of the cuſtoms, collector of the exciſe, or clerk of the cheque, on whom ſuch bill ſhall be ſo drawn as aforeſaid: And the ſaid receiver-general of the land tax, collector of the cuſtoms, collector of the exciſe, and clerk of the cheque, if the ſaid duplicates of ſuch bill ſhall be produced and delivered to either of them reſpectively within ſix calendar months from the date thereof, are hereby required and enjoined to examine ſuch duplicate, together with the certificate to be produced as aforeſaid; and to enquire into the truth thereof, by the oath of the perſon producing the ſame; which oath they are hereby reſpectively authorized and required to adminiſter; and upon being duly ſatisfied of the truth of ſuch certificate, to teſtify the ſame on the back of ſuch bill; and ſhall immediately pay to ſuch out-penſioner, without fee or reward on any pretence whatſoever, the ſum contained in ſuch bill, taking his receipt for the ſame on the back thereof; which bill ſo paid, upon being produced and delivered at the office of the treaſurer of the navy, ſhall be immediately repaid by the ſaid treaſurer, to ſuch receiver-general of the land tax, collector of the cuſtoms, collector of the exciſe, or clerk of the cheque, or to the order of any ſuch receiver-general, collector of the cuſtoms, collector of the exciſe, or clerk of the cheque reſpectively: But in caſe the duplicate of ſuch bill ſhall not be produced and delivered, and the payment thereof be demanded, within ſix calendar months from the date thereof, or if a proper certificate of the perſon claiming ſuch out-penſion be not likewiſe produced, then the ſaid receiver-general, collector of the cuſtoms, collector of the exciſe, or clerk of the cheque, ſhall return ſuch bill to the treaſurer of the ſaid hoſpital at *Greenwich*, at the ſaid hoſpital, who ſhall cauſe ſuch bill to be cancelled; and from and after the cancelling the ſame, ſuch part of the ſaid penſion ſhall accrue and become payable, in like manner, as if the ſaid bill had not been made out.

One to be tranſmitted to the perſon nominated in the bills, and the other to the perſon on whom the ſame is drawn.

Duplicate and certificate to be examined when produced; and to be verified on oath,

and teſtified on the back thereof;

and payment to be then made thereof;

which is to be repaid by the treaſurer of the navy.

If the duplicate and certificate be not produced, and payment demanded within 6 months, the bill to be returned to the treaſurer of the navy, and cancelled.

III. Provided always, and it is hereby further enacted by the authority aforeſaid, That if any ſuch receiver-general, collector of the cuſtoms, collector of the exciſe, or clerk of the cheque, to whom the duplicate of any of the bills herein before directed to be made out, ſhall be tendered for payment, ſhall not then have in his hands publick money ſufficient to anſwer the ſame,

If there ſhall be a want of money when any ſuch bill ſhall be ten-

dered for payment, ſame, and ſhall refuſe or delay the immediate payment thereof, ſuch receiver-general, collector of the cuſtoms, collector of the exciſe, or clerk of the cheque, ſhall immediately indorſe on the

the day of its being tendered, and the cauſe of non-payment, to be indorſed thereon; and a day to be fixed for the payment. back of the ſaid duplicate, the day of its being ſo tendered to him, and the cauſe of his refuſal or delay to pay the ſame; and ſhall appoint thereon, for the payment of ſuch bill, ſome future day, within the ſpace of two months at the fartheſt from the day of its having been firſt tendered to him, as aforeſaid; which duplicate with the indorſement thereon ſhall immediately be delivered back to the perſon preſenting the ſame: And if, upon complaint to be made to the reſpective commiſſioners appointed by his Majeſty, his heirs, or ſucceſſors, to manage the ſaid ſeveral duties of the land tax, cuſtoms, or exciſe, or to the commiſſioners of the navy, if the perſon complained of be a

If payment ſhall have been unneceſſarily refuſed or delayed, clerk of the cheque, it ſhall appear that ſuch receiver-general, collector of the cuſtoms, collector of the exciſe, or clerk of the cheque, hath unneceſſarily and wilfully refuſed or delayed the payment of ſuch bill; or that ſuch receiver-general, collector of the cuſtoms, collector of the exciſe, or clerk of the cheque, or any perſon employed by or under any of them, hath directly

or any fee, &c. taken on account of payment, offender may be fined in any ſum not exceeding 50 l. or indirectly received or taken any fee, reward, gratuity, diſcount, or deduction whatſoever, on account of the payment of the ſaid bill; it ſhall and may be lawful to and for any three or more of the ſaid commiſſioners to convict and fine any ſuch offender under their reſpective direction, in any ſum not exceeding fifty pounds, according to the nature and degree of the offence; which conviction ſhall be made by ſuch reſpective commiſſioners, and ſuch fine ſhall be levied and recovered, in ſuch and the ſame manner, to all intents and purpoſes, as any conviction may be made, and any penalty may be levied or recovered, for any offence againſt any law by which any cuſtom

to be paid to the informer. or exciſe is impoſed or laid; and the ſaid fine, when recovered, ſhall be paid to the informer or informers againſt ſuch offender or offenders.

Bills paid by the treaſurer of the navy to be allowed in his accounts. IV. And be it further enacted by the authority aforeſaid, That all the bills ſo paid by the ſaid treaſurer of the navy, ſhall be allowed as ſo much caſh, paid in ready money, in the accounts of the ſaid treaſurer of the navy, with the ſaid treaſurer of the ſaid hoſpital at *Greenwich*; and the ſaid treaſurer of the ſaid hoſpital is hereby required and directed to allow the ſame accordingly; any thing to the contrary thereof in any wiſe notwithſtanding.

Penalty of perſonating and falſely aſſuming the name of any out-penſioner, in order to receive the penſion, or procuring any other to do the ſame, V. And whereas divers wicked practices may be carried on by perſons knowingly and willingly perſonating and falſely aſſuming the name and character of any out penſioner of the ſaid hoſpital, in order to receive the money due to any ſuch out penſioner, on account of his out penſion, be it further enacted by the authority aforeſaid, That from and after the paſſing of this act, whoſoever willingly and knowingly ſhall perſonate or falſely aſſume the name or character of, or procure any other to perſonate or falſely to aſſume the name or character of, any perſon

person intitled, or supposed to be intitled, as an out-pensioner, to any out-pension or allowance of money from the commissioners or governors of the said hospital, in order to receive the money due, or supposed to be due, on such out-pension; every such person so offending, and being lawfully convicted of any such offence or offences, shall be deemed guilty of felony, and suffer death as a felon, without benefit of clergy. is felony without benefit of clergy.

CAP. XVII.

An act for raising a certain sum of money by loans or exchequer bills for the service of the year one thousand seven hundred and sixty three; and for further appropriating the supplies granted in this session of parliament; and for allowing his Majesty's subjects to import their goods and effects, being the produce of certain places ceded to France *and* Spain *by the late treaty of peace, upon payment of the same duties as they would have been liable to, if such places had remained in his Majesty's possession.*

Most gracious Sovereign,

WE *your Majesty's most dutiful and loyal subjects, the commons of* Great Britain *in parliament assembled, for raising the residue of the necessary supplies, which we have chearfully granted to your Majesty in this session of parliament, have resolved to give and grant unto your Majesty the sum herein after mentioned, and do therefore most humbly beseech your Majesty, that it may be enacted*; and be it enacted by the King's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That it shall and may be lawful to and for the commissioners of his Majesty's treasury now, or for the time being, or any three or more of them, or the high treasurer for the time being, at any time or times before the fifth day of *January*, one thousand seven hundred and sixty-four, to cause or direct any loans to be taken or received at his Majesty's exchequer from any person or persons, natives or foreigners, body or bodies politick or corporate, or any number of exchequer bills to be made out there, for any sum or sums of money, not exceeding, in loans and exchequer bills together, in the whole, the sum of one million and eight hundred thousand pounds; in the same or like manner, form, and order, and according to the same or like rules and directions, as in and by an act of this present session of parliament, intituled, *An act for continuing and granting to his Majesty certain duties upon malt, mum, cyder, and perry, for the service of the year one thousand seven hundred and sixty-three*, are enacted and prescribed concerning the loans or exchequer bills to be taken or made in pursuance of the said act. Preamble. Treasury impowered to take in loans, or issue exchequer bills, for any sum not exceeding 1,800,000l. in like manner as is prescribed by the malt act of this session, concerning loans or exchequer bills thereby to be taken or made.

Clauſes, &c. in the ſaid act relating to loans or exchequer bills, extended to this act.

II. And be it further enacted by the authority aforeſaid, That all and every the clauſes proviſoes, powers, privileges, advantages, penalties, forfeitures, and diſabilities contained in the ſaid laſt mentioned act relating to the loans or exchequer bills authorized to be made by the ſame act (except ſuch clauſes as do charge the ſame on the taxes granted by the ſame act, and except ſuch clauſes as limit the rate of intereſt to be paid for the forbearance of money lent on the credit of the ſaid act, and alſo except as is herein after mentioned) ſhall be applied and extended to the loans and exchequer bills to be made in purſuance of this act, as fully and effectually, to all intents and purpoſes, as if the ſame loans or exchequer bills had been originally authorized by the ſaid laſt mentioned act, or as if the ſaid ſeveral clauſes or proviſoes had been particularly repeated and re-enacted in the body of this act.

Exchequer bills ſo iſſued, not to be tendered or received in payment of any of the public taxes, before 6 April, 1764; unleſs the ſame ſhall be in courſe of payment before the ſaid day.

III. Provided always, and be it further enacted by the authority aforeſaid, That no exchequer bill or bills to be made out by virtue of this act, ſhall, after the ſame hath or have been iſſued at the exchequer, be afterwards at any time before the ſixth day of *April*, one thouſand ſeven hundred and ſixty-four, received or taken, or paſs or be current to any receiver or collector in *Great Britain*, of the cuſtoms, exciſe, or any revenue, ſupply, aid, or tax whatſoever due or payable to his Majeſty, his heirs or ſucceſſors, or at the receipt of the exchequer, from any ſuch receiver or collector, or from any other perſon or perſons, bodies politick or corporate, otherwiſe or on any other account than for the diſcharge and cancelling of ſuch bills, in caſe the ſame ſhall be in due courſe or order of payment before the ſaid ſixth day of *April*; nor ſhall any ſuch receiver or collector exchange, at any time before the ſaid ſixth day of *April*, for any money of ſuch revenues, aids, taxes, or ſupplies, in his hands, any exchequer bill or bills, which ſhall have been iſſued as aforeſaid, by virtue of this act; nor ſhall any action be maintained againſt any ſuch receiver or collector for neglecting or refuſing to exchange any ſuch bill or bills for ready money, before the ſaid ſixth day of *April*; any thing in the ſaid act made in this preſent ſeſſion of parliament, intituled, *An act for continuing and granting to his Majeſty certain duties upon malt, mum, cyder, and perry, for the ſervice of the year one thouſand ſeven hundred and ſixty-three*, or this act, contained to the contrary notwithſtanding.

The ſame to be repaid out of the firſt ſupplies which ſhall be granted in the next ſeſſion;

IV. And be it further enacted by the authority aforeſaid, That all ſuch loans or exchequer bills, together with the intereſt, premium, rate, and charges, incident to or attending the ſame, ſhall be, and are hereby charged and chargeable upon, and ſhall be repaid or borne by or out of the firſt aids or ſupplies which ſhall be granted in the next ſeſſion of parliament; and in caſe ſufficient aids or ſupplies for that purpoſe ſhall not be granted before the fifth day of *July*, one thouſand ſeven hundred and ſixty-four, then all the ſaid loans or exchequer bills, with the intereſt, premium, rate, and charges, incident to

or

or attending the ſame, ſhall be, and are hereby charged and chargeable upon ſuch monies as, at any time or times at or after the ſaid fifth day of *July*, ſhall be or remain in the receipt of the exchequer, of the ſurpluſſes, exceſſes, overplus monies, and other revenues compoſing the fund commonly called *The Sinking Fund* (except ſuch monies of the ſaid ſinking fund as are appropriated to any particular uſe or uſes by any act or acts of parliament in that behalf) and ſuch monies of the ſaid ſinking fund ſhall and may be iſſued and applied, as ſoon as the ſame can be regularly ſtated and aſcertained, for and towards paying off, cancelling, and diſcharging, ſuch loans or exchequer bills, intereſt, premium, rate, or charges, until the whole of them ſhall be paid off, cancelled, and diſcharged, or money ſufficient for that purpoſe be kept and reſerved in the exchequer, to be payable on demand to the reſpective proprietors thereof.

or out of the ſinking fund, if no ſupplies be granted before 5 July, 1764.

V. Provided always, and be it enacted by the authority aforeſaid, That whatever monies ſhall be ſo iſſued out of the ſaid ſurpluſſes, exceſſes, overplus monies, or other revenues compoſing the ſinking fund, ſhall, from time to time, be replaced by and out of the firſt ſupplies to be then after granted in parliament; any thing herein contained to the contrary notwithſtanding.

Monies iſſued for that purpoſe out of the ſinking fund, to be replaced out of the firſt ſupplies after.

VI. And be it declared and further enacted by the authority aforeſaid, That it ſhall and may be lawful for the governor and company of the bank of *England*, to advance or lend to his Majeſty in like manner at the receipt of the exchequer, upon the credit of loan granted by this act, any ſum or ſums of money not exceeding in the whole the ſum of one million and eight hundred thouſand pounds; any thing in an act made in the fifth and ſixth years of the reign of King *William* and Queen *Mary*, intituled, *An act for granting to their Majeſties ſeveral rates and duties upon tonnage of ſhips and veſſels, and upon beer, ale, and other liquors, for ſecuring certain recompences and advantages in the ſaid act mentioned, to ſuch perſons as ſhall voluntarily advance the ſum of one million five hundred thouſand pounds, towards carrying on the war againſt* France, to the contrary thereof in any wiſe notwithſtanding.

The bank impowered to advance, on the ſaid credit of loan, any ſum or ſums, not exceeding 1,800,000l.

the act 5 & 6 W. & M. notwithſtanding.

VII. Provided always, and it is hereby enacted by the authority aforeſaid, That all the monies coming into the exchequer, either by loans or exchequer bills, upon one act of this ſeſſion of parliament, intituled, *An act for continuing and granting to his Majeſty certain duties upon malt, mum, cyder, and perry, for the ſervice of the year one thouſand ſeven hundred and ſixty-three*, and ſo much money, if any ſuch be, of the duties thereby granted, as ſhall ariſe or remain after all the loans or exchequer bills made or to be made on the ſame act, and all the intereſt, premium, rate, and charges thereon, and the charges thereby allowable for raiſing the ſaid duties, ſhall be ſatisfied, or money ſufficient ſhall be reſerved in the exchequer to ſatisfy and diſcharge the ſame; and alſo all the monies coming into the exchequer, either by loans or exchequer bills, upon one other act

The monies ariſing by the malt act;

Land tax.

of this ſeſſion of parliament, intituled, *An act for granting an aid to his Majeſty by a land tax to be raiſed in* Great Britain, *for the ſervice of the year one thouſand ſeven hundred and ſixty-three*; and ſo much money, if any ſuch be, of the tax thereby granted, as ſhall ariſe or remain after all the loans or exchequer bills made or to be made on the ſame act, and all the intereſt, premium, rate, and charges thereon, and the charges allowable thereby for raiſing the ſaid land tax, ſhould be ſatisfied, or money ſufficient ſhall be reſerved in the exchequer to ſatisfy and diſcharge the ſame; and alſo all the monies coming into the exchequer by contributions for annuities, and two lotteries, granted by one other act of this ſeſſion of parliament, intituled, *An act for granting to his Majeſty ſeveral additional duties upon wines imported into this kingdom, and certain duties upon all cyder and perry; and for raiſing the ſum of three millions five hundred thouſand pounds, by way of annuities and lotteries, to be charged on the ſaid duties*; and alſo the ſum of two millions out of ſuch monies as ſhall or may ariſe of the ſurpluſſes, exceſſes, or overplus monies, and other revenues compoſing the fund, commonly called *The Sinking Fund*, directed to be iſſued and applied by one other act of this ſeſſion of parliament, intituled, *An act for granting to his Majeſty a certain ſum of money out of the ſinking fund, and for applying certain monies remaining in the exchequer, for the ſervice of the year one thouſand ſeven hundred and ſixty-three*; and alſo the ſum of forty ſeven thouſand one hundred and twenty pounds, nine ſhillings, and ſix pence, remaining in the receipt of the exchequer, being the ſurplus of the ſeveral duties upon beer and ale, granted by an act made in the firſt year of his Majeſty's reign, after ſatisfying all charges and incumbrances thereupon, to the fifth day of *January*, one thouſand ſeven hundred and ſixty-three; and alſo ſuch part of the ſum of twenty thouſand pounds granted to his Majeſty in the laſt ſeſſion of parliament upon account, towards defraying the charge of the pay of the militia of that part of *Great Britain* called *England*, when unembodied, and of the cloathing of the part of the ſaid militia then unembodied, for one year, beginning the twenty-fifth day of *March*, one thouſand ſeven hundred and ſixty-two, as ſhall remain in the receipt of the exchequer, after the ſaid charges are ſatisfied by the ſaid laſt mentioned act made in this ſeſſion of parliament, directed to be iſſued and applied; and the further ſum of one million and eight hundred thouſand pounds by this act granted, ſhall be further appropriated, and are hereby appropriated, for and towards the ſeveral uſes and purpoſes herein after expreſſed: that is to ſay it is hereby enacted and declared by the authority aforeſaid, That out of all or any the aids or ſupplies provided as aforeſaid, there ſhall and may be iſſued and applied any ſum or ſums of money, not exceeding two millions forty thouſand ſix hundred and ſixty one pounds, three ſhillings, and eleven pence for or towards the naval ſervices herein after particularly expreſſed; that is to ſay, for or towards victuals, wages, wear and tear of the navy, and the victualing thereof, performed

annuity and lottery act;

with the ſum of 2,000,000l. charged on the ſinking fund;

and alſo the ſum of 47,120l. 9s. 6d. ſurplus remaining in the exchequer, of the duties on beer and ale; alſo the ſurplus unapplied of the ſum of 20,000l. granted in the laſt ſeſſion, for pay and cloathing of the unembodied militia; and the further ſum of 1,800,000l. granted by this act, are appropriated as follows; videlicet, 2,040,661l. 3s. 11d. thereof towards naval ſervices in general.

performed and to be performed; and for or towards ſea ſervices in the office of ordnance, performed and to be performed; and for or towards defraying the ordinary of his Majeſty's navy, and for half-pay to ſea officers; and for or towards maintaining four thouſand two hundred and eighty-ſeven marines; and for or towards the buildings, rebuildings, and repairs, of his Majeſty's ſhips, for the year one thouſand ſeven hundred and ſixty-three.

3,000l. for compleating the hoſpital near Plymouth.

VIII. And it is hereby alſo enacted by the authority aforeſaid, That out of all or any the aids or ſupplies aforeſaid, there ſhall and may be iſſued and applied any ſum or ſums of money not exceeding three thouſand pounds, for completing the works of the hoſpital for ſick and wounded ſeamen building near *Plymouth*.

10,000l. upon account to the commiſſioners of Greenwich hoſpital for out-penſioners.

IX. And it is hereby alſo enacted by the authority aforeſaid, That out of all or any the aids or ſupplies aforeſaid, there ſhall and may be iſſued and applied any ſum or ſums of money not exceeding ten thouſand pounds, upon account, to be applied by the commiſſioners or governors of the royal hoſpital for ſeamen at *Greenwich*, for the ſupport and relief of ſeamen worn out and become decrepit in the ſervice of their country, who ſhall not be provided for within the ſaid hoſpital.

204,329l. for charge of the office of ordnance for land ſervice.

X. And it is hereby alſo enacted by the authority aforeſaid, That out of all or any the aids or ſupplies aforeſaid, there ſhall and may be iſſued and applied any ſum or ſums of money not exceeding two hundred four thouſand three hundred and twenty-nine pounds, for the charge of the office of ordnance for land ſervice, for the year one thouſand ſeven hundred and ſixty-three.

4,743,805l. 13s. 11d. 1q. for pay, &c. of the land forces in general; whereof 485,317l. 2s. 10d. for charge of 56,360 effective men, from 25 Dec. 1762, to 24 Apr. 1763; 408,372l. 13s. 4d. for charge of 17,536 effective men, including invalids, for

XI. And it is hereby alſo enacted by the authority aforeſaid, That out of all or any the aids or ſupplies aforeſaid, there ſhall and may be iſſued and applied any ſum or ſums of money not exceeding four millions ſeven hundred forty three thouſand eight hundred and five pounds, thirteen ſhillings, and eleven pence farthing, for and towards maintaining his Majeſty's land forces, and other ſervices herein after more particularly expreſſed; that is to ſay, any ſum or ſums of money not exceeding four hundred eighty five thouſand three hundred and ſeventeen pounds, two ſhillings, and ten pence, for defraying the charge of fifty-ſix thouſand three hundred and ſixty effective men, for guards and garriſons, and other his Majeſty's land forces in *Great Britain*, *Guernſey*, and *Jerſey*, including thoſe in *Germany*, *Portugal*, and *Belleiſle*, for one hundred and twenty-one days, from the twenty-fifth day of *December*, one thouſand ſeven hundred and ſixty-two, to the twenty-fourth day of *April*, one thouſand ſeven hundred and ſixty-three, both days incluſive, according to their preſent eſtabliſhment, and for reducing their numbers; and any ſum or ſums not exceeding four hundred eight thouſand three hundred and ſeventy-two pounds, thirteen ſhillings, and four pence, for defraying the charge of ſeventeen thouſand five hundred and thirty-ſix effective men, commiſſioned and non-commiſſioned

guards and garrisons, from 25 Apr. 1763, to 24 Dec. following;

278,893l. 11s. for the forces and garrisons in the plantations, &c. from 25 Dec. 1762, to 24 Apr. 1763;

commissioned officers included, and including two thousand seven hundred and forty-three invalids, for guards, garrisons, and other his Majesty's land forces in *Great Britain*, *Guernsey*, and *Jersey*, from the twenty-fifth day of *April*, one thousand seven hundred and sixty-three, to the twenty-fourth day of *December* following, both days inclusive, being two hundred and forty-four days; any sum or sums of money not exceeding two hundred seventy-eight thousand eight hundred and ninety-three pounds, and eleven shillings, for maintaining his Majesty's forces and garrisons in the plantations, *Gibraltar*, *Guadeloupe*, *Africa*, *Martinico*, and the *Havannah*, and for provisions for the garrisons in *Nova Scotia*, *Newfoundland*, *Gibraltar*, *Providence*, *Quebec*, *Guadeloupe*, *Senegal*, and *Goree*, for one hundred and twenty-one days, from the twenty-fifth day of *December*, one thousand seven hundred and sixty-two, to the twenty-fourth day of *April*, one thousand seven hundred and sixty-three, both days inclusive, according to their present establishment, and for reducing their numbers; and any sum or sums of

81,781l. 3s. 6d. for forces, and garrisons in the plantations, &c. from 25 Apr. 1763, to 24 Dec. following;

money not exceeding two hundred eighty one thousand seven hundred eighty one pounds, three shillings, and six pence, for maintaining his Majesty's forces and garrisons in the plantations, including those in garrison at *Minorca* and *Gibraltar*, and for provisions for the garrisons in *Nova Scotia*, *Newfoundland*, *Gibraltar*, *Quebec*, and *Senegal*, for two hundred and forty-four days, from the twenty-fifth day of *April*, one thousand seven hundred and sixty-three, to the twenty-fourth day of *December* following, both days inclusive; and any sum or sums of money, not exceeding sixteen thousand four hundred thirty-eight pounds, and seven shillings, for defraying the charge of two regiments of horse serving in *Germany*, and four regiments of foot serving in *North America* on the *Irish* establishment, for one hundred and twenty-one days, from the twenty-fifth day of *December*, one thousand seven hundred and sixty-two, to the twenty-fourth day of *April*, one thousand seven hundred and sixty-three, both days inclusive; and any sum or sums of money, not exceeding eleven thousand two hundred ninety-one pounds, eight shillings, and six pence halfpenny, for the pay of the general and general staff officers in *Great Britain*, for the year one thousand seven hundred and sixty-three; and any sum or sums of money, not exceeding one hundred and fifty thousand pounds, for defraying the charge of the pay and cloathing of the militia for one year, beginning the twenty-fifth day of *March*, one thousand seven hundred and sixty-three: and any sum or sums of money, not exceeding thirty-three thousand three hundred fifty-one pounds, seventeen shillings, and six pence, upon account of the reduced officers of his Majesty's land forces and marines, for the year one thousand seven hundred and sixty-three; and any sum or sums of money, not exceeding eighty-eight thousand seven hundred and four pounds, three shillings, and four pence, upon account of the reduced officers of his Majesty's land forces already disbanded, and such as are

16,438l. 7s. for the two regiments of horse serving in Germany, and four regiments of foot on the Irish establishment, serving in North America, from 25 Dec. 1762, to 24 Apr. 1763;

11,291l. 8s. 6d. 2q. for pay of the general and general staff officers;

150,000l. for pay and cloathing of the militia;

33,351l. 17s. 6d. to the reduced officers of the land forces and marines;

to

to be disbanded, for the year one thousand seven hundred and sixty-three; and any sum or sums of money, not exceeding two thousand nine hundred and ten pounds, one shilling, and eight pence, for defraying the charge for allowances to the several officers and private gentlemen of the two troops of horse guards and regiment of horse reduced, and to the superannuated gentlemen of the four troops of horse guards, for the year one thousand seven hundred and sixty-three; and any sum or sums of money, not exceeding one thousand seven hundred and forty-two pounds, for the paying of pensions to the widows of such reduced officers of his Majesty's land forces and marines as died upon the establishment of half pay in *Great Britain*, and who were married to them before the twenty-fifth day of *December*, one thousand seven hundred and sixteen, for the year one thousand seven hundred and sixty-three; and any sum or sums of money, not exceeding fifty-one thousand seven hundred and eight pounds, thirteen shillings, and four pence, upon account, for out-pensioners of *Chelsea Hospital*, for the year one thousand seven hundred and sixty-three; and any sum or sums of money, not exceeding eighty-five thousand one hundred fifty-eight pounds, fourteen shillings, and eight-pence, and three seventh parts of a penny, for defraying the charge of two thousand one hundred twenty horse, and nine thousand nine hundred foot, together with the general and staff officers, the officers of the hospital, and officers and others belonging to the train of artillery, the troops of the landgrave of *Hesse Cassel*, in the pay of *Great Britain*, for ninety days, from the twenty-fifth day of *December*, one thousand seven hundred and sixty-two, to the twenty-fourth day of *March*, one thousand seven hundred and sixty-three, both days inclusive, together with the subsidies pursuant to treaties; and any sum or sums of money, not exceeding eighty-seven thousand six hundred and ninety pounds, eighteen shillings, and six pence, and four seventh parts of a penny, for defraying the charge of an additional corps of nine hundred and twenty horse, and six thousand and seventy-two foot, together with the general and staff officers, the officers of the hospital, and officers and others belonging to the train of artillery, the troops of the landgrave of *Hesse Cassel*, in the pay of *Great Britain*, for three hundred and twenty-eight days, from the first day of *January*, one thousand seven hundred and sixty-three, to the twenty-fourth day of *November*, following, both days inclusive, pursuant to treaty; and any sum or sum of money, not exceeding forty-five thousand four hundred and twenty pounds, sixteen shillings, and six pence, and three seventh parts of a penny, for defraying the charge of an augmentation to the troops of the landgrave of *Hesse Cassel* in the pay of *Great Britain*, consisting of six hundred and fifty-six horse, and two thousand seven hundred and thirty-six foot, for three hundred and thirty-five days, from the twenty-fifth day of *December*, one thousand seven hundred and sixty-two, to the twenty-fourth day of *November*, one thousand seven hundred and sixty-three, both

88,704l. 3s. 4d. to the reduced officers of the land forces, disbanded and to be disbanded;

2,910l. 1s. 8d. to the officers and private gentlemen of the two troops of horse guards, and regiment of horse reduced, and superannuated gentlemen of the four troops of horse guards;

1,742l. for pensions to officers widows;

51,708l. 13s. 4d. for out-pensioners of Chelsea hospital;

85,158l. 14s. 8d. 3-7d. subsidy, and for troops of the landgrave of Hesse Cassel, pursuant to treaties;

87,690l. 18s. 6d. 4 7d. for additional troops of Hesse Cassel;

45,420l. 16s. 6d. 3-7d. for augmentation to the troops of Hesse Cassel, pursuant to treaty;

49,308l. 1s. 1d. 3-11d. for ſubſidy and troops of the duke of Brunſwick, purſuant to treaty;

both days incluſive, purſuant to treaty; and any ſum or ſums of money not exceeding forty-nine thouſand three hundred and eight pounds, one ſhilling and one penny, and three eleventh parts of a penny, for defraying the charge of one thouſand four hundred and forty-four cavalry, and two thouſand three hundred and thirty infantry, the troops of the reigning duke of *Brunſwick*, in the pay of *Great Britain*, for eighty-ſix days, from the twenty-fifth day of *December*, one thouſand ſeven hundred and ſixty-two, to the twentieth day of *March*, one thouſand ſeven hundred and ſixty-three, both days incluſive, together with the ſubſidies for the ſaid time, purſuant to treaties; and

4,328l. 8s. 5d. to make good the deficiency in the ſum voted laſt ſeſſion, for the pay of augmentation to the troops of Brunſwick; 50,000 to the landgrave of Heſſe Caſſel, purſuant to treaty;

any ſum or ſums of money not exceeding four thouſand three hundred twenty-eight pounds, eight ſhillings, and five pence, to make good a deficiency in the ſum voted laſt ſeſſion, for the pay of an augmentation to the troops of the reigning duke of *Brunſwick*, for the year one thouſand ſeven hundred and ſixty-two; and any ſum or ſums of money, not exceeding fifty thouſand pounds, to enable his Majeſty to complete the payment of two hundred and twenty thouſand pounds, as a reaſonable ſuccour in money to the landgrave of *Heſſe Caſſel*, purſuant to treaty; and any ſum or ſums of money, not exceeding ſeventy-one thouſand three hundred eighty-one pounds, ſixteen ſhillings, and eight pence, for defraying the charge of four regiments of foot ſerving in the *Eaſt Indies*, for three hundred and ſixty-five days, from the twenty-fifth day of *December*, one thouſand ſeven hundred and ſixty-two, to the twenty-fourth day of *December*, one thouſand ſeven hundred and ſixty-three, both days incluſive; and any ſum or ſums of money, not exceeding one million five hundred eighty-eight thouſand ſeven hundred fifty-ſix pounds, fifteen ſhillings, and five pence, for defraying the extraordinary expences of his Majeſty's land forces, and other ſervices incurred from the twenty-fifth day of *December*, one thouſand ſeven hundred and ſixty-one, to the thirty-firſt day of *October*, one thouſand ſeven hundred and ſixty-two, both days incluſive, and not provided for by parliament; and any ſum or ſums of money, not exceeding nine hundred fifty-one thouſand two hundred forty-nine pounds, and ſix pence, for defraying the extraordinary expences of his Majeſty's land forces, and other ſervices, incurred from the firſt day of *November*, one thouſand ſeven hundred and ſixty-two, to the nineteenth day of *February*, one thouſand ſeven hundred and ſixty-three, and not provided for by parliament.

1,588,756l. 15s. 5d. for extraordinary expences of the land forces, &c. to 31 Oct. 1762, not provided for.

951,249l. 6d. for extraordinary expences of the land forces, &c. for the year 1763, not provided for.

1,000,000l. to diſcharge the like ſum raiſed purſuant to an act of the laſt ſeſſion, and charged on the firſt aids;

XII. And it is hereby alſo enacted by the authority aforeſaid, That out of all or any the aids or ſupplies aforeſaid, there ſhall and may be iſſued and applied any ſum or ſums of money, not exceeding one million, to enable his Majeſty to diſcharge the like ſum raiſed in purſuance of an act made in the laſt ſeſſion of parliament, and charged upon the firſt aids or ſupplies to be granted in this ſeſſion of parliament.

1,500,000l. for paying off exchequer

XIII. And it is hereby alſo enacted by the authority aforeſaid, That out of all or any the aids or ſupplies aforeſaid, there

ſhall

ſhall and may be iſſued and applied any ſum or ſums of money, not exceeding one million five hundred thouſand pounds, to enable his Majeſty to pay off and diſcharge the exchequer bills made out by virtue of an act paſſed in the laſt ſeſſion of parliament, intituled, *An act for enabling his Majeſty to raiſe a certain ſum of money towards paying off and diſcharging the debt of the navy, and towards naval ſervices, for the year one thouſand ſeven hundred and ſixty-two*, and charged upon the firſt aids or ſupplies to be granted in this ſeſſion of parliament.

bills, made out by virtue of an act of the laſt ſeſſion;

XIV. And it is hereby alſo enacted by the authority aforeſaid, That out of all or any the aid or ſupplies aforeſaid, there ſhall and may be iſſued and applied any ſum or ſums of money, not exceeding four thouſand five hundred eighty-nine pounds, thirteen ſhillings, and eleven pence farthing, upon account, for defraying the charges incurred by ſupporting and maintaining the ſettlement of his Majeſty's colony of *Nova Scotia*, in the year one thouſand ſeven hundred and ſixty, and not provided for by parliament; and any ſum or ſums of money, not exceeding five thouſand ſix hundred ſeventy-four pounds, one ſhilling, and ten pence, upon account, for maintaining and ſupporting the civil eſtabliſhment of his Majeſty's ſaid colony of *Nova Scotia*, for the year one thouſand ſeven hundred and ſixty-three; and any ſum or ſums of money, not exceeding four thouſand one hundred thirty-ſix pounds, upon account, for defraying the charges of the civil eſtabliſhment of his Majeſty's colony of *Georgia*, and other incidental expences attending the ſame, from the twenty-fourth day of *June*, one thouſand ſeven hundred and ſixty-two, to the twenty-fourth day of *June*, one thouſand ſeven hundred and ſixty-three.

4,589l. 13s. 11d. 1q. for charges in maintaining the ſettlement of Nova Scotia in 1760, not provided for;

5,674l. 1s. 10d. for charges of the civil eſtabliſhment of Nova Scotia;

4,136l. for charges of the civil eſtabliſhment of Georgia;

XV. And it is hereby alſo enacted by the authority aforeſaid, That out of all or any the aids or ſupplies aforeſaid, there ſhall and may be iſſued and applied any ſum or ſums of money, not exceeding one hundred thirty-three thouſand three hundred thirty-three pounds, ſix ſhillings, and eight pence, upon account, to enable his Majeſty to give a proper compenſation to the reſpective provinces in *North America*, for the expences incurred by them in the levying, cloathing, and pay, of the troops raiſed by the ſame according as the active vigour and ſtrenuous efforts of the reſpective provinces ſhall be thought by his Majeſty to merit; and any ſum or ſums of money, not exceeding thirteen thouſand pounds, to be employed in maintaining and ſupporting the fort at *Annamaboe*, and the other *Britiſh* forts and ſettlements upon the coaſt of *Africa*; and any ſum or ſums of money, not exceeding forty thouſand and fifty pounds, upon account, towards enabling the governors and guardians of the hoſpital for the maintenance and education of expoſed and deſerted young children, to maintain and educate ſuch children as were received into the ſaid hoſpital on or before the twenty-fifth day of *March*, one thouſand ſeven hundred and ſixty, from the thirty-firſt day of *December*, one thouſand ſeven hundred and

133,333l. 6s. 8d. as a compenſation to the provinces in North America, for expences incurred in levying, cloathing, and pay of troops there;

13,000l. for ſupporting the forts and ſettlements upon the coaſt of Africa;

40,050l. to the foundling hoſpital; to be iſſued without fee;

and ſixty-two excluſive, to the thirty-firſt day of *December*, one thouſand ſeven hundred and ſixty-three incluſive; and that the ſaid ſum be iſſued and paid for the uſe of the ſaid hoſpital without fee or reward, or any deduction whatſoever; and any ſum or ſums of money, not exceeding ſix thouſand four hundred and ten pounds, five ſhillings, and ten pence three farthings, to make good to his Majeſty the like ſum iſſued by his Majeſty's orders, purſuant to addreſſes of the houſe of commons; and any ſum or ſums of money, not exceeding five thouſand pounds, towards enabling the commiſſioners for putting in execution an act made in the laſt ſeſſion of parliament, intituled, *An act for paving, cleanſing, and lighting, the ſquares, ſtreets, and lanes, within the city and liberty of* Weſtminſter, *the pariſhes of* Saint Giles in the Fields, Saint George the Martyr, Saint George Bloomſbury, *that part of* Saint Andrew's Holborn *which lies in the county of* Middleſex, *the ſeveral liberties of the* Rolls *and* Savoy, *and that part of the dutchy of* Lancaſter *which lies in the county of* Middleſex; *and for preventing annoyances therein; and for other purpoſes therein mentioned*; more effectually to perform the truſts repoſed in them; and any ſum or ſums of money, not exceeding forty-nine thouſand five hundred fifty-eight pounds, one ſhilling, and ſix pence, to make good the deficiency of the half ſubſidies of tonnage and poundage, charged with the payment of ſeveral annuities by the acts made in the ſixth year of the reign of Queen *Anne*, and the ſixth year of the reign of King *George* the Firſt, to ſatisfy all annuities charged thereupon to the fifth day of *January*, one thouſand ſeven hundred and ſixty-three; and any ſum or ſums of money, not exceeding forty-eight thouſand eight hundred ninety-one pounds, fourteen ſhillings, and eleven pence, to replace to the ſinking fund the like ſum paid out of the ſame to make good the deficiency on the fifth day of *July*, one thouſand ſeven hundred and ſixty-two, of the ſeveral rates and duties upon offices and penſions, and upon houſes, and upon windows or lights, which were made a fund by an act paſſed in the thirty-firſt year of the reign of his late Majeſty, for paying annuities at the bank of *England* in reſpect of five millions borrowed towards the ſupply granted for the ſervice of the year one thouſand ſeven hundred and fifty-eight; and any ſum or ſums of money, not exceeding twenty-ſix thouſand ſeven hundred and ten pounds, to replace to the ſinking fund the like ſum paid out of the ſame to make good the deficiency on the fifth of *January*, one thouſand ſeven hundred and ſixty-two, of the additional duty upon ſtrong beer and ale, to anſwer and pay the ſeveral annuities of three pounds *per centum per annum*, and one pound, two ſhillings, and ſix pence *per centum*, on eleven millions four hundred thouſand pounds, part of twelve millions, borrowed towards the ſupply granted to his Majeſty by an act made in the firſt year of his Majeſty's reign, for the ſervice of the year one thouſand ſeven hundred and ſixty-one; and any ſum or ſums of money, not exceeding ſeven thouſand one hundred fifty-one pounds, nine ſhillings,

6,401l. 5s. 10d. 3q. to make good the like ſum iſſued by his Majeſty, purſuant to the addreſs of the houſe of commons;

5,000l to enable the commiſſioners for paving, &c. the ſtreets of Weſtminſter, to perform the truſts repoſed in them;

49,558l. 1s.6d. to make good the deficiency of tonnage and poundage of 6 Annæ, and 6 Geo. 1.

48,891 l. 14s. 11 d. to make good the deficiency on 5 July, 1762, of the duties on offices and penſions, and upon houſes and lights;

26,710l. to make good the deficiency on 5 Jan. 1762, of the additional duty on ſtrong beer and ale;

7,151 l. 9s. 1d. 1 q. to make good the de-

ſhillings, and one penny farthing, to make good the deficiency of the grants for the ſervice of the year one thouſand ſeven hundred and ſixty-two. ficiency of the grants for the year 1762.

XVI. And it is hereby further enacted by the authority aforeſaid, That the ſaid aids and ſupplies provided as aforeſaid, ſhall not be iſſued or applied to any uſe, intent, or purpoſe whatſoever, other than the uſes and purpoſes before mentioned, or for the ſeveral deficiencies or other payments directed to be ſatisfied thereout by any act or acts, or any particular clauſe or clauſes for that purpoſe contained in any other act or acts of this preſent ſeſſion of parliament. Theſe aids to be applied to no other uſes.

XVII. And, as to the ſaid ſum of thirty-three thouſand three hundred fifty-one pounds, ſeventeen ſhillings and ſix pence, and eighty-eight thouſand ſeven hundred and four pounds, three ſhillings, and four pence, by this act appropriated, on account of half-pay as aforeſaid, it is hereby enacted and declared by the authority aforeſaid, That the rules herein after preſcribed, ſhall be duly obſerved in the application of the ſaid half-pay; that is to ſay, That no perſon ſhall have or receive any part of the ſame who was a minor, and under the age of ſixteen years at the time when the regiment, troop, or company, in which he ſerved, was reduced; that no perſon ſhall have or receive any part of the ſame, except ſuch perſon who did actual ſervice in ſome regiment, troop, or company; that no perſon having any other place or employment of profit, civil or military, under his Majeſty, ſhall have or receive any part of the ſaid half-pay; that no chaplain of any garriſon or regiment, who has any eccleſiaſtical benefice in *Great Britain* or *Ireland*, ſhall have or receive any part of the ſaid half-pay; that no perſon ſhall have or receive any part of the ſame, who has reſigned his commiſſion, and has had no commiſſion ſince; that no part of the ſame ſhall be allowed to any perſon by virtue of any warrant or appointment, except to ſuch perſons as would have been otherwiſe intitled to the ſame as reduced officers; and that no part of the ſame ſhall be allowed to any of the officers of the five regiments of dragoons, and eight regiments of foot lately diſbanded in *Ireland*, except to ſuch as were lately taken off the eſtabliſhment of half-pay in *Great Britain*. Rules to be obſerved in the application of the half-pay.

XVIII. And whereas by an act of parliament made and paſſed in the ſecond year of his preſent Majeſty's reign, intituled, *An act for enabling his Majeſty to raiſe the ſum of one million, for the uſes and purpoſes therein mentioned; and for further appropriating the ſupplies granted in this ſeſſion of parliament; and for allowing time for the payment of the ſtamp duties omitted to be paid upon admiſſions into corporations or companies, and appointments to offices therein; and for the relief of* William Earle, *in reſpect of a quantity of white ſalt loſt by the wreck of a ſhip near the harbour of* Dublin; the ſeveral ſupplies which had been granted to his preſent Majeſty, as is therein mentioned, were appropriated to the ſeveral uſes and purpoſes therein expreſſed, amongſt which, any ſum or ſums not exceeding thirty-four thouſand three hundred Clauſe in the act of 2 Geo. 3.

dred and eighty-three pounds, was appropriated to be paid to the reduced officers of his Majeſty's land forces and marines, ſubject nevertheleſs to ſuch rules to be obſerved in the application of the ſaid half-pay, as in and by the aforeſaid act were preſcribed in that behalf: Now it is hereby provided, enacted, and declared by the authority aforeſaid, That ſo much of the ſaid ſum of thirty-four thouſand three hundred eighty-three pounds, as is or ſhall be more than ſufficient to ſatisfy the ſaid reduced officers, according to the rules preſcribed by the ſaid act to be obſerved in the application thereof, or any part of ſuch overplus, ſhall and may be diſpoſed of to ſuch officers who are maimed, or have loſt their limbs in the late wars, or ſuch others as by reaſon of their long ſervice, or otherwiſe, his Majeſty ſhall judge to be proper objects of charity, or to the widows or children of ſuch officers, according to ſuch warrant or warrants, under his Majeſty's royal ſign manual, as ſhall be ſigned in that behalf; any thing in this act or the ſaid former act to the contrary notwithſtanding.

Application of the ſavings of the ſum of 34,383l. granted laſt ſeſſion towards half-pay.

XIX. And whereas by the definitive treaty of peace between his Majeſty and the crowns of *France* and *Spain*, ratified the tenth day of *March*, one thouſand ſeven hundred and ſixty-three, the iſlands of *Guadeloupe*, *Marie Galante*, *Deſirade*, *Martinico*, and *Goree*, are ceded to *France*, and all that his Majeſty had conquered in the iſland of *Cuba* is ceded to *Spain*, and the term of eighteen months to be computed from the day of the ratification of the ſaid treaty, is thereby allowed to *Britiſh* ſubjects to tranſport their effects from thoſe iſlands: And whereas the produce of thoſe places imported into this kingdom, after the reſtitution thereof to *France* and *Spain*, will be ſubject to higher duties than they were liable to, during the time they remained in his Majeſty's poſſeſſion: To the end therefore that his Majeſty's ſubjects, having effects in the places before mentioned, may have all due encouragement and opportunity to bring the ſame from thence; be it enacted by the authority aforeſaid, That it ſhall and may be lawful for any of his Majeſty's ſubjects, to import into this kingdom at any time before the firſt day of *November*, one thouſand ſeven hundred and ſixty-four, and no longer, in *Britiſh* ſhips navigated according to law, directly from the places before mentioned, any goods or effects being the growth or produce thereof reſpectively, upon payment of ſuch and the like cuſtoms and duties only, as would be due and payable for the ſame, if ſuch places had remained and were in the poſſeſſion of his Majeſty; any law, cuſtom, or uſage, to the contrary notwithſtanding.

Any goods or effects, being the growth or produce of any of the iſlands ceded by the definitive treaty of 10 March, 1763, to the crowns of France and Spain, may be imported by Britiſh ſubjects, in Britiſh ſhips at any time before 1 Nov. 1763, paying common duties.

CAP.

CAP. XVIII.

An act for granting to his Majesty a certain sum of money out of the sinking fund; and for applying certain monies remaining in the exchequer for the service of the year one thousand seven hundred and sixty-three.

Most Gracious Sovereign,

WE, *your Majesty's most dutiful and loyal subjects, the commons* of Great Britain, *in parliament assembled, towards raising the necessary supplies which we have chearfully granted to your Majesty in this session of parliament, have resolved to give and grant to your Majesty the sums herein after-mentioned; and do therefore most humbly beseech your Majesty, that it may be enacted*; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That by or out of such monies as shall, from time to time, be and remain in the receipt of the exchequer, of the surpluses, exceſſes, overplus monies, and other revenues, composing the fund commonly called *The sinking fund*, after paying or reserving sufficient to pay all such sums of money as have been directed by any former act or acts of parliament to be paid out of the same, there shall and may be issued and applied, for and towards making good the supply granted to his Majesty for the service of the year one thousand seven hundred and sixty-three, a sum not exceeding two millions; and the commissioners of his Majesty's treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, are hereby authorized and impowered to issue and apply the same accordingly.

Preamble.

Towards raising the supplies granted, there may be issued out of the sinking fund, a sum not exceeding 2,000,000 l.

II. And be it further enacted by the authority aforesaid, That the sum of forty seven thousand one hundred and twenty pounds, nine shillings, and six pence, remaining in the receipt of exchequer, being the surplus of the several duties upon beer and ale, granted by an act made in the first year of his Majesty's reign, after satisfying all charges and incumbrances thereupon, to the fifth day of *January*, one thousand seven hundred and sixty-three; and also such part of the sum of twenty thousand pounds granted to his Majesty in the last session of parliament, upon account, towards defraying the charge of the pay of the militia of that part of *Great Britain* called *England*, when unembodied, and of the cloathing of the part of the said militia then unembodied, for one year, beginning the twenty-fifth day of *March*, one thousand seven hundred and sixty-two, as shall remain in the receipt of the exchequer after the said charges are satisfied, shall and may be, in like manner, issued and applied at the said receipt, for and towards the said supply.

47,120 l. 9 s. 6 d. surplus remaining in the exchequer, of the duties on beer and ale;

and such part of the sum of 20,000 l. granted in the last session, towards pay of the unembodied militia, as shall be unapplied.

III. And

Clauſe of loan for raiſing the aforeſaid ſum of 2,000,000 l.

III. And it is hereby enacted by the authority aforeſaid, That in caſe the ſaid commiſſioners of his Majeſty's treaſury, or any three or more of them now being, or the high treaſurer, or any three or more of the commiſſioners of the treaſury for the time being, ſhall think it adviſable to raiſe the ſaid ſum of two millions, or any part thereof, by loans of exchequer bills, in manner herein after-mentioned, that it ſhall and may be lawful to and for any perſon or perſons, natives or foreigners, bodies politick or corporate, to advance or lend to his Majeſty, at the receipt of his Majeſty's exchequer, any ſum or ſums of money not exceeding the ſaid ſum of two millions, upon the credit of the ſaid ſurpluſſes, exceſſes, and overplus monies, or other revenues compoſing the ſinking fund, and to have and receive intereſt for the forbearance of the money lent, ſo as ſuch loans be allowed to be made by the ſaid commiſſioners of the treaſury, or any three or more of them now being, or the high treaſurer, or any three or more of the commiſſioners of the treaſury for the time being, who are hereby authorized to iſſue their warrants for that purpoſe, as faſt as ſuch loans ſhall be wanted for the publick ſervice; and moreover, that no money to be lent upon the ſecurity of this act, ſhall be rated or aſſeſſed to any tax or aſſeſſment whatſoever.

Tallies of loan may be ſtruck for the ſame.

IV. And be it further enacted, That all and every perſon or perſons who ſhall lend any money upon the credit of this act as aforeſaid, and pay the ſame into the receipt of the exchequer, ſhall immediately have a tally of loan ſtruck for the ſame, and an order for his, her, or their repayment, bearing the ſame date with his, her or their tally, in or upon which order ſhall be alſo contained a warrant for payment of intereſt for the forbearance thereof, and to be paid every three months, until the repayment of the principal; and all ſuch orders for repayment of money, ſo to be lent, ſhall be regiſtered in courſe, according to the dates reſpectively; and that all and every perſon and perſons ſhall be paid in courſe, according as their orders ſhall ſtand regiſtered in the ſaid regiſter books, ſo as the perſon or perſons, natives or foreigners, his, her, or their executors, adminiſtrators, or aſſigns, who ſhall have his, her, or their order or orders firſt entered in the ſaid books of regiſter, ſhall be taken and accounted to be the firſt perſon or perſons to be paid out of the ſaid ſurpluſſes, exceſſes, or other revenues; and he, ſhe, or they, who ſhall have his, her, or their order or orders next entered, ſhall be taken and accounted to be the ſecond perſon to be paid, and ſo ſucceſſively and in courſe; and that the monies to come in of or for the ſaid ſurpluſſes, exceſſes, and overplus monies, or other revenues compoſing the ſinking fund, as aforeſaid, ſhall be in the ſame order liable to the ſatisfaction of the ſaid reſpective perſons, and body or bodies politick or corporate, their executors, adminiſtrators, ſucceſſors, or aſſigns reſpectively, without any undue preference of one before another, and not otherwiſe; and ſhall not be diverted or divertible to any other uſe, intent, or purpoſe whatſoever (other than ſuch uſes and purpoſes

Orders to be regiſtered and paid in courſe.

poſes as are appointed by any other act or acts of parliament in that behalf as aforeſaid); and that no fee, reward, or gratuity, directly or indirectly, ſhall be demanded or taken of any of his Majeſty's ſubjects, for providing or making of any ſuch books or regiſters, or any entries, views, or ſearches, in or for payment of money lent, or the intereſt thereof, as aforeſaid, by any of his Majeſty's officer or officers, their clerks or deputies, on pain of payment of treble damages to the party grieved, by the party offending, with full coſts of ſuit; or if the officer himſelf take or demand any ſuch fee or reward, then to loſe his place alſo; and if any undue preference of one before another ſhall be made either in point of regiſtry or payment, contrary to the true meaning of this act, by any ſuch officer or officers, then the party offending ſhall be liable by action of debt, or on the caſe, to pay the value of the debt, with full coſts of ſuit, to the party grieved, and ſhall be forejudged of his place or office; and if any ſuch preference be unduly made by any his deputy or clerk, without direction or privity of his maſter, then ſuch deputy or clerk only ſhall be liable to ſuch action, debt, damages, and coſts, and ſhall be for ever after incapable of his office or place: And in caſe the auditor of the receipt ſhall not direct the ſaid orders of loan, or the clerk of the pells record, or the teller make payment upon ſuch orders, according to each perſon's due place and order, as before directed; then he or they ſhall be adjudged to forfeit, and the reſpective deputies and clerks, therein offending, to be liable to ſuch action, debt, damages, and coſts, in ſuch manner as aforeſaid: All which ſaid penalties, forfeitures, damages, and coſts, to be incurred by any the officers of the exchequer, or any their deputies or clerks, ſhall and may be recovered by action of debt, bill, plaint, or information, in any of his Majeſty's courts of record at *Weſtminſter*; wherein no eſſoin, protection, privilege, wager of law, injunction, or order of reſtraint, ſhall be in any wiſe granted or allowed.

No fee to be paid for regiſtering, &c.

Penalty of undue preference;

how to be recovered.

V. Provided always, and it is declared, That if it ſhall happen that ſeveral tallies of loan, or orders for payment, as aforeſaid, bear date, or be brought the ſame day to the auditor of the receipt to be regiſtered, then it ſhall be interpreted no undue preference, which of thoſe be entered firſt, ſo as he enters them all the ſame day.

It ſhall be deemed no undue preference, where tallies are dated, or brought the ſame day;

VI. Provided alſo, That it ſhall not be interpreted any undue preference, to incur any penalty in point of payment, if the auditor direct, and the clerk of the pells record, and the tellers do pay ſubſequent orders to perſons that come and demand their monies, and bring their orders, before other perſons that did not come to take their monies, and bring their orders in courſe; ſo as there be ſo much money reſerved as will ſatisfy precedent orders; which ſhall not be otherwiſe diſpoſed of, but kept for them; intereſt upon loan being to ceaſe from the time the money is ſo reſerved and kept in bank for them.

nor if ſubſequent orders be paid before ſuch as were not demanded in courſe.

Orders assignable *toties quoties*.

VII. And be it further enacted, That all and every perſon and perſons to whom any money ſhall be due, for loans to be regiſtered by virtue of this act, after order entered in the book of regiſter as aforeſaid, his, her, or their executors, adminiſtrators, or aſſigns, by proper words of aſſignment to be indorſed and written upon his, her, or their order, may aſſign and transfer his, her, or their right, title, intereſt, and benefit of ſuch order, to any other; which being notified in the office of the auditor of the receipt aforeſaid, and an entry or memorial thereof alſo made in the book of regiſter aforeſaid for orders (which the officers ſhall upon requeſt, without fee or charge, accordingly make) ſhall intitle ſuch aſſignee, his, her, or their executors, adminiſtrators, ſucceſſors, and aſſigns, to the benefit thereof, and payment thereon; and ſuch aſſignee may, in like manner, aſſign again, and ſo *toties quoties*; and afterwards it ſhall not be in the power of ſuch perſon or perſons who have or hath made ſuch aſſignment, to make void, releaſe or diſcharge the ſame, or any monies thereby due, or any part thereof.

Commiſſioners of the treaſury, if they ſhall think it more adviſeable to raiſe the ſaid ſum or any part thereof by exchequer bills, they may make out any number of new exchequer bills for the ſame, in like manner and form as is preſcribed by the malt act of this ſeſſion.

VIII. And to the end there may be no want or failure of a certain ſum not to exceed in the whole the ſaid ſum of two millions, to be raiſed, either by ſuch loans as aforeſaid, or by iſſuing exchequer bills, as is herein after mentioned, or by both or either of thoſe ways or means, for the publick ſervice; be it further enacted by the authority aforeſaid, That in caſe the commiſſioners of his Majeſty's treaſury, or any three or more of them now being, or the high treaſurer, or any three or more of the commiſſioners of the treaſury for the time being, ſhall judge it more adviſable to raiſe the ſaid ſum of two millions, or any part thereof, by exchequer bills, inſtead of ſuch loans as aforeſaid, that then they reſpectively are hereby authorized and impowered, at any time or times, to prepare and make, or cauſe to be prepared and made, at the exchequer, any number of new exchequer bills, for any ſum or ſums of money, not exceeding in the whole the ſaid ſum of two millions, together with ſuch loans aforeſaid, in the ſame or like manner, form, or order, and according to the ſame or like rules and directions, as in and by a certain act of this preſent ſeſſion of parliament, intituled, *An act for continuing and granting to his Majeſty certain duties upon malt, mum, cyder, and perry, for the ſervice of the year one thouſand ſeven hundred and ſixty-three*, are enacted and preſcribed, concerning the exchequer bills to be made in purſuance of the ſaid act.

Clauſes in the ſaid act relating to exchequer bills, extended to thoſe to be made out in purſuance of this act.

IX. And be it further enacted by the authority aforeſaid, That all and every the clauſes, proviſoes, powers, privileges, advantages, penalties, forfeitures, and diſabilities, contained in the ſaid laſt mentioned act, relating to the loans or exchequer bills, authorized to be made by the ſame act (except ſuch clauſes as do charge the ſame on the taxes granted by the ſame act, and except ſuch clauſes as limit the rate of intereſt to be paid for the forbearance of money lent on the credit of the ſaid act) ſhall be applied

spplied and extended to the exchequer bills to be paid in purſuance of this act, as fully and effectually to all intents and purpoſes as if the ſaid exchequer bills had been originally authorized by the ſaid laſt mentioned act, or as if the ſaid ſeveral clauſes or proviſoes had been particularly repeated and re-enacted in the body of this preſent act.

The ſaid bills, intereſt, premium, and charges, payable out of the ſinking fund.

X. And be it enacted by the authority aforeſaid, That all the exchequer bills as ſhall be made in purſuance of this act, and the intereſt, premium, rate, and charges incident to, or attending the ſame, ſhall be, and are hereby charged and chargeable upon, and ſhall be repaid and borne by and out of the growing produce of the ſaid ſurpluſſes, exceſſes, and overplus monies, or other revenues, compoſing the ſinking fund (except ſuch monies of the ſaid ſinking fund as are appropriated to any particular uſe or uſes by any former or other act or acts of parliament in that behalf) and ſuch monies of the ſaid ſinking fund ſhall and may be iſſued and applied as ſoon as the ſame can be regularly ſtated and aſcertained, for and towards the paying off, cancelling, and diſcharging, ſuch exchequer bills, intereſt, premium, rate, or charges, until the whole of them ſhall be paid off, cancelled, and diſcharged, or money ſufficient for that purpoſe be kept and reſerved in the exchequer, to be payable on demand to the reſpective proprietors thereof.

The bank impowered to advance, on the ſaid credit of loan, any ſum or ſums not exceeding 2,000,000 l. the act 5 & 6 W. & M. notwithſtanding.

XI. And be it declared and further enacted by the authority aforeſaid, That it ſhall and may be lawful for the governor and company of the bank of *England*, to advance or lend to his Majeſty in like manner at the receipt of the exchequer, upon the credit of loan granted by this act, any ſum or ſums of money not exceeding in the whole the ſum of two millions; any thing in an act made in the fifth and ſixth years of the reign of King *William* and Queen *Mary*, intituled, *An act for granting to their Majeſties ſeveral rates and duties upon tonnage of ſhips and veſſels, and upon beer, ale, and other liquors, for ſecuring certain recompences and advantages in the ſaid act mentioned, to ſuch perſons as ſhall voluntarily advance the ſum of one million five hundred thouſand pounds, towards carrying on the war againſt* France, to the contrary thereof in any wiſe notwithſtanding.

CAP. XIX.

An act for the more eaſy and ſpeedy recovery of ſmall debts within the hundreds of Bradford, Melkſham, *and* Whorlſdown, *in the county of* Wilts.

CAP. XX.

An act for permitting the importation, from Ireland, *of ſtale and dirty butter, not fit for eating, commonly called* greaſe butter.

Preamble.

WHEREAS *ſtale and dirty butter not fit for eating, called* greaſe butter, *is an eſſential ingredient in the manufactury of woolen cloth, commonly called* broad and narrow bays, *which is*

carried on to a great extent: And whereas from the ſcarcity of the ſaid ingredient, the ſaid manufacture is, at preſent, greatly diſtreſſed, and is in danger of being reduced, and the exportation of ſuch goods greatly leſſened: And whereas the permitting the importation, from Ireland, *of ſuch greaſe butter, will be advantageous to the ſaid manufactury, and of great publick utility*; be it therefore enacted by the King's moſt excellent majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That from and after the paſſing of this act, the importation of ſtale and dirty butter, not fit to eat, called *greaſe butter*, from *Ireland*, ſhall be, and is hereby permitted, allowed, and authorized, for and during the term of five years from thence next enſuing, and from thence to the end of the then next ſeſſion of parliament; and that all perſons ſhall be, and are hereby exempted, freed, and diſcharged, from the payment of all ſubſidies, cuſtoms, rates, duties, or other impoſitions, and alſo from all penalties, forfeitures, payments, and puniſhments, for or upon account of importing or bringing into any port within the kingdom of *Great Britain*, ſtale and dirty butter not fit for eating, commonly called *greaſe butter*, from *Ireland*, during the term aforeſaid; provided ſuch butter, and the package and quantity thereof, ſhall be duly entered at the cuſtom-houſe at any ſuch port.

Importation of greaſe butter permitted from Ireland, duty free, for the term of 5 years, upon duly entering the ſame at the cuſtom houſe.

II. And be it further enacted by the authority aforeſaid, That in caſe any ſuch greaſe butter ſhall be ſtopped or ſeized by any of the officers of his Majeſty's cuſtoms at ſuch port, under pretence of its being fit to eat, or otherwiſe, as not coming within the intent and meaning of this act, it ſhall be lawful for any two juſtices of the peace for the county, diſtrict, or diviſion, where the ſame ſhall be ſtopped or ſeized, and ſuch juſtices are hereby authorized and required, within fourteen days after application made to them for that purpoſe, to hear and determine the matter in a ſummary way; and, for that purpoſe, to inſpect, if they think fit, the butter in queſtion; and alſo to call before them, and examine on oath, any two reputable perſons, dealers in butter; one whereof ſhall be allowed to be choſen by the importer or proprietor, and the other by the officer or other perſon ſo ſtopping or ſeizing ſuch greaſe butter, and alſo ſuch other witneſſes as ſhall be deſired by either party; and the determination of the ſaid juſtices therein, ſhall be binding and concluſive to and upon all parties, wherein no *certiorari* ſhall be allowed.

Where any ſhall be ſeized, as not coming within the meaning of this act, 2 Juſtices of the peace may hear and determine the matter in a ſummary way, by inſpection, and examination of perſons on oath, in relation thereto.

III. And be it further enacted by the authority aforeſaid, That if any action or ſuit ſhall be commenced againſt any perſon or perſons for any thing done in purſuance of this act, the defendant or defendants in any ſuch action or ſuit, may plead the general iſſue, and give this act, and the ſpecial matter in evidence, at any trial to be had thereupon; and that the ſame was done in purſuance and by the authority of this act; and if it ſhall appear ſo to have been done, the jury ſhall find for the defendant or defendants; and if the plaintiff ſhall be nonſuited,

General iſſue.

or

or diſcontinue his action, after the defendant or defendants ſhall have appeared, or if judgment ſhall be given upon any verdict or demurrer againſt the plaintiff; the defendant or defendants ſhall and may recover treble coſts, and have the like remedy for the ſame, as any defendant or defendants hath or have in other caſes by law. Treble coſts.

CAP. XXI.

An act for explaining, amending, and rendering more effectual, an act made in the nineteenth year of the reign of King Henry *the Seventh, intituled,* "Silk works."

WHEREAS *by an act paſſed in the nineteenth year of the reign of King* Henry *the Seventh, intituled,* "Silk works," *it is, amongſt other things, ordained and enacted, That no manner of perſon ſhall from thenceforth bring, or cauſe to be brought, into the realm of* England, *to be ſold, any manner of ſilk wrought by itſelf, or with any other ſtuff, in any place out of the ſaid realm, in ribbands, laces, or girdles, upon pain of forfeiture of all the ſaid ribbands, laces, and girdles, and every of them, in whoſe hands ſoever they be found, or the values of the ſame, the one moiety to the King, and the other moiety unto any of the King's ſubjects that would ſue for the ſame: And whereas notwithſtanding the aforeſaid act, and the other laws now in being, great quantities of foreign manufactures, and particularly ribbands, laces, and girdles, are brought into, and ſold in this kingdom, to the great diminution of the trade and manufactures of this kingdom, and to the great prejudice, hindrance, and impoveriſhment, of great numbers of his Majeſty's ſubjects; an evil which, if not timely prevented, will affect and greatly leſſen the public revenue, and greatly diſtreſs the ſilk trade and manufactures of this kingdom:* For remedy whereof, be it enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That if any perſon or perſons ſhall, after the twenty-fourth day of *June*, one thouſand ſeven hundred and ſixty-three, import, bring, or convey, or cauſe to be imported, brought, or conveyed, into this kingdom, any ribbands, laces, or girdles, not made and manufactured in *Great Britain*, whether the ſame be wrought of ſilk alone, or wrought of ſilk mixed with any other materials; all ſuch ribbands, laces, and girdles, ſhall be, and the ſame are hereby declared to be forfeited; and the ſame ſhall and may be ſeized and detained by any perſon or perſons whatſoever, in whatever importers, venders, or retailers hands the ſame may be found or diſcovered; and ſhall be diſpoſed of as herein after is mentioned; and the perſon or perſons bringing, conveying or importing ſuch ribbands, laces, or girdles, into this kingdom, or cauſing the ſame to be ſo brought, conveyed, or imported, ſhall alſo forfeit, for every offence, the ſum of one hundred pounds; and all and every perſon and perſons who ſhall be aiding, abetting, or aſſiſting in the bringing and conveying

Preamble, reciting clauſe in act 19 Hen. 7. c. 21.

Foreign ſilk ribbands, laces, or girdles, imported,

are forfeitable, and may be ſeized by any perſon;

and the importer forfeits alſo 100 l.

and all perſons aſſiſting

therein, 50 l. each;

veying or importing into this kingdom, any ſuch ribbands, laces, or girdles, as aforeſaid, ſhall ſeverally forfeit and pay the ſum of fifty pounds, over and above any intereſt which he, ſhe, or they may have, or may have had, in any ſuch ribbands, laces, or girdles.

and the venders, retailers, and perſons concealing the ſame, forfeit, beſides the loſs of the goods, 50 l.

II. And be it further enacted by the authority aforeſaid, That all and every perſon and perſons, being a vender or venders, retailer or retailers, of any kind of ribbands, laces, or girdles, reſpectively, in whoſe cuſtody or poſſeſſion any ſuch ribbands, laces, or girdles, or any of them, ſhall be found, or who ſhall ſell or expoſe to ſale, any ſuch ribbands, laces, or girdles, as aforeſaid, or who ſhall conceal any ſuch ribbands, laces, or girdles, with intent to prevent the forfeiture or ſeizure of the ſame, ſhall, over and above the forfeiture and loſs of ſuch ribbands, laces, and girdles, and all intereſt which he, ſhe, or they, may have therein, for every ſuch offence, forfeit and pay the ſum of fifty pounds.

One moiety of the ſaid penalties to go to the King, and the other to the proſecutor, to be recovered in any of the courts at Weſtminſter,

or Exchequer in Scotland.

III. And be it further enacted by the authority aforeſaid, That all pecuniary forfeitures and penalties incurred under this act, ſhall be paid, one moiety to our ſovereign lord the King, his heirs, and ſucceſſors, and the other moiety to him or them who will ſue or proſecute for the ſame reſpectively; ſuch of the ſaid penalties which ſhall ariſe in that part of *Great Britain* called *England*, to be ſued and proſecuted for in any of his Majeſty's courts of record at *Weſtminſter*, by action of debt, bill, plaint, or information, in which no eſſoin, protection, or wager of law, or more than one imparlance, ſhall be allowed; and ſuch of them as ſhall ariſe in that part of *Great Britain* called *Scotland*, to be ſued and proſecuted for in the court of *Exchequer* at *Edinburgh*, in ſuch manner as any penalties and forfeitures for offences againſt the laws touching the cuſtoms may be ſued or proſecuted for there reſpectively.

Where the value of the goods ſo ſeized out of London and Weſtminſter, do not exceed 20 l.

Two juſtices may proceed to condemnation, or diſcharge thereof.

IV. Provided always, and be it alſo further enacted by the authority aforeſaid, That whenever ſuch ribbands, laces, and girdles, ſhall be found and ſeized in that part of *Great Britain* called *England*, and out of the cities of *London* and *Weſtminſter*, and the limits of the weekly bills of mortality, and the ſame ſhall not exceed in value the ſum of twenty pounds, it ſhall and may be lawful for two or more of his Majeſty's juſtices of the peace for ſuch county, city, borough, or place, where the ſame ſhall be ſo found and ſeized, upon any information before them, that ſuch ribbands, laces, or girdles, were ſeized as ribbands, laces, or girdles, unduly brought into, and not manufactured within, this kingdom, to hear and determine the ſame, and to proceed to condemnation or diſcharge thereof, as ſhall ſeem juſt; any thing herein before contained to the contrary notwithſtanding.

V. And, for the utter prevention of all and every ſuch ribbands, laces, and girdles, ſeized and condemned as aforeſaid, from ever being made uſe of to the prejudice of the trade and manufactures of this kingdom, be it further enacted by the authority

authority aforesaid, That all and every such ribbands, laces, and girdles, after condemnation thereof, shall, by order of the court, judge or judges, or justices, where or before whom such condemnation shall be had, be publickly burnt and entirely destroyed; but the execution of such order shall, and may be suspended for so long time only as may be thought just and meet, for the better attaining the ends of justice, with regard to any suit or prosecution had, or to be had, for the recovery of any pecuniary penalty or penalties by this act inflicted.

After condemnation the goods to be burnt, suspending the execution thereof only till prosecution of the penalties.

VI. Provided always, and it is hereby further enacted by the authority aforesaid, That forthwith, after the seizure of any such ribbands, laces, or girdles, as aforesaid, the same, until they shall be condemned, burnt, and destroyed, as aforesaid, or discharged as unduly seized, shall be deposited in one of the King's ware-houses belonging to the custom-house, in case such seizure happens to be within the cities of *London* or *Westminster*, or the weekly bills of mortality, where the same shall be received and admitted at all times by the proper officer or officers there, who is and are hereby impowered and required to receive and preserve the same until they shall be condemned, burnt, and destroyed, or discharged as aforesaid; and in case such seizure shall be made out of the said cities of *London* and *Westminster*, and the weekly bills of mortality, then the same shall be deposited in the hands of the chief magistrate of such city, town, or place, where the same shall be seized, or in the hands of the constable of the next adjacent village, who is and are hereby impowered and required to receive and preserve the same, until they shall be condemned, burnt, and destroyed, or discharged as aforesaid; and all and every such ribbands, laces, and girdles, may, from time to time, be viewed and inspected by any person or persons, on behalf of the prosecutor or prosecutors, or of the person or persons interested in, or claiming, the said ribbands, laces, and girdles, with the leave of the court, officers, judges, or justices, where or before whom any prosecution or suit shall be carried on for condemnation thereof, or for recovery of any penalty by this act inflicted, who are and is hereby required to make and give such order, from time to time, for that purpose, as may be just and reasonable.

The goods, after seizure, to be deposited, 'till condemnation, or discharge, in the King's ware-houses, if the seizure be made within the bills of mortality, if elsewhere, then in the hand of the chief magistrate, or constable; and to be free to inspection with leave of court, &c.

VII. And, for the better discovering and detecting any offender or offenders against this act, be it enacted by the authority aforesaid, That upon an information in writing made upon oath before any two or more of his Majesty's justices of the peace for the respective county, or place (which information shall be signed by the party or parties making the same) that there is good ground and reason to suspect that such ribbands, laces, or girdles, as aforesaid, have been imported into this kingdom, and are concealed by, or are in the possession or custody of any retailer or seller of any kind of ribbands, laces, or girdles, contrary to the true intent of this act, it shall and may be lawful for such justices respectively, to issue their warrant or warrants to any constable or constables, or other peace officer

Upon information given in upon oath before 2 justices, search warrants may be granted;

officer or officers, within the ſaid county or place, impowering him or them to ſearch, in the day-time, the houſe or houſes, out-houſe or out-houſes, ware-houſes, ſhops, cellars, rooms, and other places, belonging to, or hired, employed, or made uſe of, by ſuch retailer or ſeller who ſhall be ſuſpected to conceal or have in his, her or their poſſeſſion or cuſtody, any ribbands, laces, or girdles, not made or manufactured within *Great Britain*; and if any ſuch ribbands, laces, or girdles, not being made or manufactured within *Great Britain*, ſhall be found, to ſeize and carry away the ſame, for the purpoſe of carrying this act into execution, and to diſpoſe thereof as is herein before directed.

and ſeizure made of ſuch goods as ſhall thereupon be found.

VIII. And be it further enacted by the authority aforeſaid, That if any action or ſuit ſhall be commenced againſt any perſon or perſons for any thing done in purſuance of this act, the defendant or defendants in ſuch action or ſuit, may plead the general iſſue, and give this act, and the ſpecial matter, in evidence, at any trial to be had thereupon, and that the ſame was done by the authority of this act; and if it ſhall appear to have been ſo done, then the jury ſhall find for the defendant or defendants; and if the plaintiff ſhall be nonſuited, or diſcontinue his action, after the defendant or defendants ſhall have appeared; or if judgment ſhall be given upon any verdict or demurrer againſt the plaintiff, the defendant or defendants ſhall recover treble coſts, and have the like remedy for the ſame, as defendants have in other caſes by law.

General iſſue.

Treble coſts.

IX. Provided always nevertheleſs, and it is hereby enacted, That in every ſuch action, it ſhall and may be lawful for the defendant or defendants, by leave of the court where ſuch action ſhall be depending, at any time before iſſue joined, to pay into court ſuch ſum of money as he or they ſhall ſee fit, as amends for the matter or cauſe complained of in ſuch action; whereupon ſuch proceedings, orders, and judgments, ſhall and may be had, made, and given, in and by ſuch court, as in other actions where the defendant is allowed to pay money into court.

Defendant, with leave, may pay money into court.

X. And be it further enacted by the authority aforeſaid, That if any ribbands, laces, or girdles, wrought of ſilk alone, or of ſilk mixed with any other materials ſhall be ſeized by virtue and in purſuance of this act, and any doubt or queſtion ſhall afterwards ariſe, where the ſaid ribbands, laces, or girdles, ſo wrought as aforeſaid, were manufactured, the proof ſhall lie upon ſuch perſon or perſons, being a vender or venders, retailer or retailers, of any kind of ribbands, laces, or girdles, reſpectively, in whoſe cuſtody or poſſeſſion the ſame were found, and not upon the proſecutor or proſecutors, plaintiff or plaintiffs; and in caſe no ſuch proof ſhall be given, that ſuch ribbands, laces, and girdles, were manufactured within *Great Britain*, then the ſame ſhall, without any further proceeding, be taken and held to have been manufactured out of *Great Britain*, and contrary

In doubts with reſpect to the place where the goods were manufactured, the *onus probandi* to lie on the perſon in whoſe cuſtody they are found.

contrary to, and in violation of, this act; any law or cuſtom to the contrary notwithſtanding.

Perſons in whoſe cuſtody ſuch goods ſhall be ſeized (not importing or concealing the ſame) diſcovering the vender,

XI. Provided always, and it is hereby declared, That if any ſuch perſon or perſons, in whoſe cuſtody or poſſeſſion any ſuch ribbands, laces, or girdles, as aforeſaid, ſhall be ſeized by virtue and in purſuance of this act (ſuch perſon or perſons not importing or concealing the ſame) ſhall diſcover, upon oath, before any one or more juſtice or juſtices of the peace, the perſon or perſons who ſold ſuch ribbands, laces, or girdles, to ſuch perſon or perſons, in whoſe cuſtody or poſſeſſion the ſame ſhall be ſeized, ſo as that ſuch perſon or perſons ſo ſelling the ſame ſhall or may be proſecuted and convicted according to the intent of this act, as the ſeller thereof, in caſe the ſame ſhall be, or be taken and held to be, within the intent and meaning of this act, manufactured out of *Great Britain*; ſuch perſon or perſons ſo diſcovering as aforeſaid, ſhall be, and is and are hereby freed and diſcharged of and from all and every penalties and forfeitures by this act inflicted, upon all and every perſon and perſons being a vender or venders, a retailer or retailers, having in their cuſtody or poſſeſſion, any ſuch ribbands, laces, or girdles, as aforeſaid, not made or manufactured in *Great Britain*, and of and from any proof that ſuch ribbands, laces, or girdles, ſo ſeized as aforeſaid, are manufactured in *Great Britain*.

are diſcharged from the penalty themſelves.

The wearers of ſuch ribbands, laces, or girdles, are exempted from all forfeiture and penalty.

XII. Provided alſo, and it is hereby further enacted by the authority aforeſaid, That nothing in this act contained, ſhall extend, or be in any wiſe conſtrued to extend, to ſubject any perſon or perſons whatſoever, who ſhall wear or make uſe of ſuch ribbands, laces, or girdles, as aforeſaid, as part of his, her, or their apparel or dreſs only, to any forfeiture, or to any pecuniary penalty or penalties inflicted by this act, or to any proof that ſuch ribbands, laces, or girdles, are manufactured within *Great Britain*.

CAP. XXII.

An act for the further improvement of his Majeſty's revenue of cuſtoms; and for the encouragement of officers making ſeizures; and for prevention of the clandeſtine running of goods into any part of his Majeſty's dominions.

Preamble, reciting clauſe in act 12 G. 1.

WHEREAS *by an act paſſed in the twelfth year of the reign of his late Majeſty King* George *the Firſt, intituled,* An act for the improvement of his Majeſty's revenues of cuſtoms, exciſe, and inland duties, *the commiſſioners of thoſe revenues are reſpectively impowered and directed to cauſe all tea, coffee, foreign brandy, rum, or other foreign exciſeable liquors, which ſhall be ſeized by any officers of the cuſtoms or exciſe, after condemnation, to be publickly ſold to the beſt bidder, at ſuch places as the ſaid commiſſioners ſhall think proper; and to allow the officers making ſuch ſeizures, for their encouragement, one third part of the full ſum ariſing from the publick ſale of all ſuch tea, coffee, foreign brandy, rum, or other exciſeable liquors, free from all charges of condemnation and ſale; and to*

cauſe

cauſe the remaining part of the produce of ſuch ſales, after paying the reward to the officer, and the charges of condemnation and ſale for ſuch ſeizures, to be paid into the receipt of his Majeſty's exchequer, in lieu of his Majeſty's moiety, as was then practiſed: and whereas by ſeveral ſubſequent acts of parliament, one moiety of all fines, penalties, and forfeitures, impoſed by an act relating to the duties of exciſe, or any other duty under the management of the commiſſioners of that revenue, is given to his Majeſty, his heirs, and ſucceſſors, and the other moiety to him or them who ſhall diſcover, inform, or ſue for the ſame; in purſuance of which laws the officers of exciſe ſeizing any of the commodities herein before enumerated, have been allowed a moiety thereof; but the proviſions in thoſe ſubſequent laws, not extending to ſuch ſeizures when made by officers of the cuſtoms, they have hitherto been allowed only one third of the produce thereof, purſuant to the directions of the before-recited act of the twelfth of George *the Firſt: and whereas the power given by the ſaid recited act to the reſpective commiſſioners of the cuſtoms and exciſe, to cauſe the goods therein enumerated to be publickly ſold, has been found very advantageous to the revenue; and if the like power was extended in general to all ſorts of goods, it would prevent many frauds, and illicit combinations practiſed by bidders in the court of* Exchequer, *to the great detriment of the public revenue and the fair trader: and whereas, it is highly reaſonable and juſt, as well as of public utility, that the officers of the cuſtoms and exciſe ſhould have equal encouragament to be vigilant in the exertion of their duty, to ſuppreſs the pernicious practice of ſmuggling; to which end, may it therefore pleaſe your Majeſty, that it may be enacted*; and be it enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That from and after the firſt day of *May*, one thouſand ſeven hundred and ſixty-three, it ſhall and may be lawful to and for the commiſſioners of his Majeſty's cuſtoms, to cauſe all ſhips, veſſels, and boats, and all goods of what kind ſoever they may be (excepting only ſuch veſſels, boats, and goods, as are by law liable to be burnt) which ſhall be ſeized by any officers of the cuſtoms, for unlawful importation, or for non-payment of duties, or for any other cauſe of forfeiture, and condemned according to law, to be ſold publickly to the beſt bidder, at ſuch places as the ſaid commiſſioners ſhall think proper; and all and every officer who ſhall ſeize ſuch goods, ſhall, for his and their encouragement, be allowed by the ſaid commiſſioners, one moiety of the net produce ariſing by the ſale of ſuch ſeizure, after deducting the charges of condemnation and ſale from the whole; and the ſaid commiſſioners ſhall cauſe the other moiety thereof to be paid into the receipt of his Majeſty's exchequer, in lieu of his Majeſty's ſhare thereof (excepting in thoſe caſes which are otherwiſe provided for by this act) any law, cuſtom, or uſage, to the contrary notwithſtanding.

Veſſels or goods ſeized by the officers of the cuſtoms, to be publickly ſold, after condemnation, to the beſt bidder, at ſuch places as the commiſſioners of the cuſtoms ſhall think proper. One moiety of the produce to go to the ſaid officers; and the other to be paid into the exchequer.

II. Provided always, and it is hereby declared and enacted by the authority aforeſaid, That after deducting the charges of condemn-

condemnation and ſale from the groſs produce of all wrought ſilks, bengals, and ſtuffs, mixed with ſilk or herba of the manufacture of *Perſia*, *China*, or *Eaſt India*, and all callicoes, painted, dyed, printed, or ſtained there, which ſhall be ſeized and condemned in purſuance of an act paſſed in the eleventh and twelfth years of the reign of the late King *William* the Third, (intituled *An act for the more effectual employing the poor, by encouraging the manufactures of this kingdom)* the ſaid commiſſioners of the cuſtoms ſhall allow to the officer or officers who ſhall ſeize the ſame, two third parts of ſuch net produce, and cauſe the remaining third part thereof to be paid into the receipt of his Majeſty's exchequer, and that for all wool, and any other of the ſpecies of goods enumerated in an act paſſed in the twelfth year of the reign of his late majeſty King *George* the Second (intituled, *An act for taking off the duties upon woolen and bay yarn imported from* Ireland *to* England, *and for the more effectual preventing the exportation of wool from* Great Britain, *and of wool, and wool manufactured, from* Ireland *to foreign parts*, after deducting the charges of condemnation and ſale, the remainder of the produce ſhall be paid to the officer who ſhall ſeize the ſame, in ſuch manner as by the ſaid act is directed; and that for all tobacco, tobacco ſtalks, and ſnuff, which ſhall be burnt or deſtroyed in purſuance of an act paſſed in the twenty-fourth year of the reign of his late majeſty King *George* the Second (intituled, *An act for the more effectual ſecuring the duties upon tobacco)* the officer or officers ſeizing the ſame, ſhall be paid, in the manner directed by that act, three pence for every pound weight of ſuch tobacco and ſnuff, and one penny for every pound weight of tobacco ſtalks; and that for ſuch tea as ſhall be burnt or otherwiſe deſtroyed by order of the reſpective commiſſioners of the cuſtoms or exciſe, purſuant to the laws now in being, the officers making the ſeizure, ſhall be rewarded in ſuch manner as the ſaid commiſſioners ſhall think proper, ſuch reward not exceeding two ſhillings and ſix pence for each pound weight of ſuch tea, in lieu of all other allowances; any thing in this or any other act to the contrary notwithſtanding.

Officers to be allowed, after all charges deducted, two third parts of the produce upon wrought ſilks, bengals, ſtuffs mixed with ſilk or herba, of Perſian or Eaſt Indian manufacture, and callicoes, ſeized and condemned in purſuance of act 11, 12, Will. 3. the other third to be paid into the exchequer; and upon wool, and other goods enumerated act 12 Geo. 2. the produce after all charges; and upon tobacco and ſnuffs burnt, &c. purſuant to act 24 Geo. 2. 3d. per lb. and for tobacco ſtalks, 1d. per lb. and for tea not exceeding 2s. 6d. per lb.

III. Provided alſo, and it is hereby further enacted by the authority aforeſaid, That if the produce of any particular ſeizure, ſold in purſuance of this act, ſhall not be ſufficient to anſwer the expences of condemnation and ſale; or if upon the trial of any ſeizure, a verdict ſhall be given for the claimant, and the ſhip or goods ſhall not be condemned; in either of thoſe caſes, it ſhall and may be lawful for the commiſſioners of his Majeſty's cuſtoms, to order the charges attending the ſeizing and proſecuting ſuch ſhip or goods, to be paid out of any branch of the revenue of the cuſtoms which is by law applicable to the payment of incidents; any thing in this or any other act of parliament to the contrary notwithſtanding.

Where the produce of any ſeizure ſhall not anſwer the expences of condemnation and ſale, or a verdict be given for the claimant, the charges to be paid out of any branch of the revenue applicable to incidents.

IV. And whereas for the more effectual prevention of the infamous practice of ſmuggling, it may be neceſſary to employ ſeveral

ſeveral of the ſhips and veſſels of war belonging to his Majeſty, his heirs, and ſucceſſors, on the coaſts of *Great Britain* and *Ireland*, and of the other dominions and colonies belonging to the crown of *Great Britain*; therefore for the better encouragement of all the officers and ſeamen employed in ſuch ſervice to do their duty therein; be it enacted by the authority aforeſaid,

The King to direct, by order of council or proclamation how the ſhare of ſuch ſeizures as ſhall be made by veſſels in his ſervice, ſhall be divided amongſt the officers and men.

That it ſhall and may be lawful to and for his Majeſty, his heirs, and ſucceſſors, to direct and appoint the moiety herein before mentioned, or any other part of all and every the ſeizure and ſeizures that ſhall be made by ſuch officers or ſeamen reſpectively, ſo employed as aforeſaid, to be divided amongſt all ſuch officers and ſeamen of ſuch ſhip or veſſel of war, who ſhall make any ſuch ſeizure as aforeſaid, in ſuch proportions, and in ſuch manner, as his Majeſty, his heirs, and ſucceſſors, ſhall think fit to order and direct, by any crder or orders of council, or by any proclamation or proclamations to be made or iſſued, from time to time, for that purpoſe; and ſuch moiety, or other part of the ſaid ſeizure or ſeizures, ſhall be ſo paid and divided to and amongſt all the officers and ſeamen of ſuch ſhip or veſſel of war accordingly.

V. And whereas the laws already made to prevent the clandeſtine importing and landing of foreign brandy, rum, ſtrong waters, or other ſpirits, tea, tobacco, tobacco ſtalks, and ſnuff, in ſmall veſſels, which hover upon the coaſts of this kingdom, have been found inſufficient for that purpoſe; be it further enacted by the authority aforeſaid,

Where any foreign brandy, arrack, rum, or other ſpirits, not being for the ſhip's uſe, ſhall be imported, &c. in any veſſel of 50 tons, or under, the ſame, together with the veſſel and furniture, ſhall be forfeited; and in like manner, where any ſpirits, tea, tobacco, tobacco ſtalks, or ſnuff, are liable to forfeiture by act 9 Geo. 2. or act 24 Geo. 2. the veſſel on board which the ſame ſhall be found, if

That from and after the firſt day of *June*, one thouſand ſeven hundred and ſixty-three, if any foreign brandy, arrack, rum, ſtrong waters, or ſpirits of any kind whatſoever, ſhall be imported or brought into *Great Britain*, or into any port, harbour, haven, or creek, thereof, in any ſhip, veſſel, or boat, of the burthen of fifty tons, or under (except only for the uſe of the ſeamen then belonging to and on board ſuch ſhip, veſſel or boat, not exceeding two gallons for every ſuch ſeaman) every ſuch ſhip, veſſel, or boat, with all her tackle, furniture, and apparel, and alſo all ſuch brandy, arrack, rum, ſtrong waters, or ſpirits, or the value thereof, ſhall be forfeited and loſt; and where any brandy, arrack, rum, ſtrong waters, or other ſpirits, or any tea, tobacco, tobacco ſtalks or ſtems ſtript from the leaf, or ſnuff, is or are liable to forfeiture, bv virtue of an act made in the ninth year of the reign of his late majeſty King *George* the Second, intituled, *An act for indemnifying perſons who have been guilty of offences againſt the laws made for ſecuring the revenue of cuſtoms and and exciſe, and for enforcing thoſe laws for the future*; and by another act made in the twenty-fourth year of the reign of his ſaid late majeſty King *George* the Second, intituled, *An act for the more effectual ſecuring the duties upon tobacco*; or either of them, for being found on board any ſuch ſhip or veſſel at anchor, or hovering within the limits of any of the ports of this kingdom, or within two leagues of the ſhore, as is particularly expreſſed in thoſe acts: it is hereby further enacted, That in every ſuch caſe the ſhip or veſſel on board of which ſuch goods ſhall be ſo found,

with

with all her tackle, furniture, and apparel, ſhall alſo be forfeited and loſt, provided ſuch ſhip or veſſel doth not exceed the burthen of fifty tons.

under 50 tons ſhall be forfeited, with her apparel; and the veſſels &c. ſeized and condemned, are to be diſpoſed of, as veſſels of 40 tons or under, forfeited for importing foreign brandy, &c.

VI. And it is hereby further enacted by the authority aforeſaid, That every ſhip or veſſel forfeited by this act, ſhall be ſeized and proſecuted, and after condemnation be burnt, deſtroyed, or uſed in his Majeſty's ſervice by the officers of the cuſtoms or exciſe, and the tackle, furniture, and apparel, diſpoſed of and divided, and the tonnage, aſcertained in the ſame manner as is directed by the laws now in force, with reſpect to veſſels of forty tons or under, forfeited for importing foreign brandy or other ſpirits.

No writ of delivery to be iſſued out of the exchequer for any ſuch veſſel, unleſs the officer delay proceeding to trial and condemnation three terms, and ſecurity be given in double the value, to return the veſſel upon condemnation.

VII. And it is alſo further enacted by the authority aforeſaid, That no writ of delivery ſhall be granted out of the court of exchequer, for any ſhip, veſſel, or boat, that is liable to be burnt, deſtroyed, or uſed in his Majeſty's ſervice by virtue of this act, or any other act relating to the cuſtoms or exciſe, unleſs the officer ſeizing the ſame ſhall delay proceeding to the trial and condemnation thereof for the ſpace of three terms; and in that caſe, not without good ſecurity being given in double the appraiſed value of ſuch ſhip, veſſel, or boat, to return the ſame upon condemnation, in order to be burnt, deſtroyed, or uſed in his Majeſty's ſervice according to law.

Clauſes in act 8 Ann. and 15 & 16 Geo. 2.

VIII. And whereas by an act paſſed in the eighth year of the reign of her late majeſty Queen *Anne*, for granting to her Majeſty new duties of exciſe, and upon ſeveral imported commodities; and by an other act paſſed in the fifteenth and ſixteenth years of the reign of his late majeſty King *George* the Second, for further regulating the plantation trade, and ſeveral other purpoſes; it is amongſt other things enacted, That every perſon, upon entry of any claim in the court where any prohibited or uncuſtomed goods, or any ſhip, veſſel, or boat, ſhall be proſecuted, ſhall be obliged to give ſecurity, in the penalty of thirty pounds, to anſwer and pay the coſts occaſioned by ſuch claim; and in default of giving ſuch ſecurity within the time limited by the courſe of that court for entering ſuch claim, ſuch goods, ſhips, veſſels, or boats ſhall be recovered: and whereas many perſons have, from the ſmallneſs of the penalty, been induced to enter groundleſs claims in fictitious names, with a view to put the officers of the revenue to vexatious trouble and delay, as well as to deter them from proſecuting ſeizures legally made, by putting them to an extraordinary expence, oftentimes more than the value of the goods ſeized, which tends very much to the prejudice of the publick revenue, and to the diſcouragement of the officers thereof in the execution of their duty: to remedy therefore this inconvenience for the future, be it enacted by the authority aforeſaid, That from and after the firſt day of *May*, one thouſand ſeven hundred and ſixty-three, every perſon, upon entry of any claim in the court where any goods, ſhips, veſſels,

Claimant, upon entering his claim, to

give ſecurity in 60l. to pay coſts;

and in default thereof, the goods and veſſel to be condemned.

ſels, or boats, ſhall be proſecuted, ſhall be obliged to give ſecurity, in the penalty of ſixty pounds, to anſwer and pay the coſts occaſioned by ſuch claim; and in default of giving ſuch ſecurity within the time limited by the courſe of that court for entering claims, ſuch goods, ſhips, veſſels, or boats, ſhall be adjudged to be forfeited, and ſhall be condemned; any thing in the before recited acts, or any other act of parliament, to the contrary notwithſtanding.

Clauſes in act 5 Geo. 1.

IX. And whereas, by certain clauſes in an act made in the fifth year of the reign of his late majeſty King *George* the Firſt, intituled, *An act againſt clandeſtine running of uncuſtomed goods, and for the more effectual preventing of frauds relating to the cuſtoms*; (which clauſes have been continued by ſeveral ſubſequent acts) it was declared and enacted, That where any ſhip or veſſel of the burthen of fifty tons, or under, laden with cuſtomable or prohibited goods, ſhould be found hovering on the coaſts of this kingdom within the limits of any port, and not proceeding on her voyage for foreign parts, or to ſome other port of this kingdom, wind and weather permitting, it ſhould and might be lawful to and for any officer or officers of his Majeſty's cuſtoms, to go on board every ſuch ſhip or veſſel, and to take an account of the lading, and to demand and take ſecurity from the maſter, or other perſon having or taking the charge or command of ſuch ſhip or veſſel in that voyage, by his own bond by him to be entered into unto his Majeſty, his heirs and ſucceſſors, in ſuch ſum or ſums of money as ſhould be treble the value of ſuch foreign goods then on board, with condition that ſuch ſhip or veſſel, as ſoon as wind and weather and the ſtate and condition of ſuch ſhip or veſſel permitted, ſhould and would proceed regularly on ſuch voyage, and ſhould land ſuch foreign goods in and at ſome foreign port or ports; and if ſuch maſter, or other perſon having or taking the charge or command of ſuch ſhip or veſſel, ſhould, upon ſuch demand, refuſe to enter into ſuch bond, or, having entered into ſuch bond, ſhould not depart or proceed regularly on ſuch voyage as ſoon as wind and weather and the ſtate and condition of ſuch ſhip or veſſel ſhould permit, unleſs otherwiſe ſuffered to make a longer ſtay by the collector, or other principal officer in his abſence, of ſuch port where ſuch ſhip or veſſel ſhould be, not exceeding twenty days, then, and in either of the ſaid caſes, all the foreign goods ſo on board ſuch ſhip or veſſel, ſhould and might, by any officer or officers of the cuſtoms, by direction of the collector, or other principal officer as aforeſaid, be taken out of and from ſuch ſhip or veſſel, and forthwith brought on ſhore and ſecured; and in caſe the ſaid goods were cuſtomable, the cuſtoms and other duties ſhould be paid for the ſame: and as concerning wool, or any prohibited goods, or other goods liable to forfeiture, which might be found on board ſuch ſhips or veſſels at the time of their unlading as aforeſaid, the ſame were thereby declared to be ſubject to forfeiture, and the officers of the cuſtoms ſhould and might proſecute the ſame, as alſo the ſhip or veſſel, in caſe

ſhe ſhould be liable to condemnation, as in the manner therein after mentioned; and that after ſuch goods were ſo taken out of ſuch ſhip or veſſel, and brought on ſhore and ſecured by ſuch officer or officers, ſuch bonds ſo to be given as aforeſaid, ſhould be void and delivered up, without any fee or reward for taking or delivering up the ſame; and ſuch bond, not being otherwiſe diſcharged, ſhould, on a proper certificate, returned under the common ſeal of the chief magiſtrate in any place or places beyond the ſeas, or under the hands and ſeals of two known *Britiſh* merchants upon the place, that ſuch goods were there landed, or upon proof by credible perſons, that ſuch goods were taken by enemies, or periſhed in the ſeas (the examination and proof thereof being left to the judgment of the commiſſioners of the cuſtoms) ſhould be vacated and diſcharged: and whereas the extending of the ſaid clauſes to the reſt of his Majeſty's dominions, may be a means of preventing illicit trade; be it therefore enacted by the authority aforeſaid, That from and after the firſt day of *July*, one thouſand ſeven hundred and ſixty-three, the ſaid clauſes, and every part of them, ſhall be extended to all ſhips and veſſels of the burthen of fifty tons, or under, which ſhall be found hovering on the coaſts of *Ireland*, or any other of his Majeſty's dominions or territories belonging to the crown of *Great Britain*; and ſhall be of equal force in every reſpect, in regard to all ſuch ſhips and veſſels found hovering on any of the coaſts aforeſaid, as ſuch clauſes now are, or ſhall be conſtrued to be, in regard to any ſhips or veſſels hovering on the coaſts of this kingdom; and all offences which ſhall be committed againſt the ſaid clauſes, or any part of them, on the coaſts of *Ireland*, ſhall be tried, and the penalties and forfeitures thereby incurred ſhall be proſecuted for and recovered, in any of his Majeſty's courts of record in *Dublin* in the ſaid kingdom; and all offences which ſhall be committed againſt the ſaid clauſes, or any part of them, on the coaſts of any other of his Majeſty's dominions or territories (except this kingdom) ſhall be tried, and the penalties and forfeitures thereby incurred ſhall be proſecuted for and recovered, in any court of admiralty, in the dominion or territory on the coaſt whereof ſuch offence ſhall be committed (which court of admiralty is hereby authorized, impowered, and required to proceed to, hear, and determine, the ſame) or in any court of record in ſuch dominion or territory, at the election of the informer or proſecutor, according to the courſe and method uſed and practiſed there in proſecutions for offences againſt penal laws relating to the cuſtoms or exciſe; and ſuch penalties and forfeitures ſo recovered there, ſhall be divided and applied in ſuch and the ſame manner as penalties and forfeitures recovered in *Great Britain* for the like offences are, or in purſuance of this act may be, directed to be divided and applied.

The recited clauſes, reſpecting cuſtomable or prohibited goods on board veſſels of 50 tons or under, found hovering on the coaſts by the officers of the cuſtom, extended to all ſuch like veſſels found hovering on any of the coaſts of Ireland; and the ſaid offences to be tried, and penalties recovered, in any of the four courts in Dublin. offences in other parts, to be proſecuted in the court of admiralty, or other court of record of the place; and the forfeitures to be divided and applied as thoſe in Great Britain.

CAP.

CAP. XXIII.

An act to explain, amend, and render more effectual, an act made in the laſt ſeſſions of parliament, intituled, An act for paving, cleanſing, and lighting, the ſquares, ſtreets, and lanes, within the city and liberty of *Weſtminſter*, the pariſhes of *Saint Giles in the fields*, *Saint George the martyr*, *Saint George Bloomſbury*, that part of the pariſh of *Saint Andrew's Holbourn* which lies in the county of *Middleſex*, the ſeveral liberties of the *Rolls* and *Savoy*, and that part of the dutchy of *Lancaſter* which lies in the county of *Middleſex*, and for preventing annoyances therein; and for other purpoſes therein mentioned.

Preamble. Act 2 Geo. 3. c. 21.

WHEREAS *an act was made in the laſt ſeſſion of parliament, intituled,* An act for paving, cleanſing, and lighting, the ſquares, ſtreets, and lanes, within the city and liberty of *Weſtminſter*, the pariſhes of *Saint Giles* in the fields, *Saint George* the martyr, *Saint George Bloomſbury*, that part of the pariſh of *Saint Andrew*'s *Holborn* which lies in the county of *Middleſex*, the ſeveral liberties of the *Rolls* and *Savoy*, and that part of the dutchy of *Lancaſter* which lies in the county of *Middleſex*, and for preventing annoyances therein; and for other purpoſes therein mentioned: *and whereas the commiſſioners for putting the ſaid act in execution, have made ſome progreſs in the truſts repoſed in them, but find that the ſaid act is defective, with reſpect to ſome of the powers thereby given; nor can the ſame be effectually put in execution, ſo as to anſwer the good purpoſes thereby intended, unleſs ſome new powers are granted, and the ſaid act, in other reſpects, amended and made more effectual; may it therefore pleaſe your Majeſty, that it may be enacted*; and be it enacted, &c.

Five commiſsioners are inveſted with full power to execute all matters directed by the recited act to be done by a greater number, except in the caſe of electing new commiſſioners;——and they are impowered to alter the poſition of any of the water-pipes; and to pay the expence thereof out of the money appropriated for the purpoſes of the ſaid act.——But the pavements taken up for placing or amending the pipes are to be repaired by the commiſſioner's paviours, at the expence of the proprietors; and the commiſſioners may compound with the ſaid proprietors for ſuch repairs.——Pavements liable to be repaired by any pariſh, body politick or corporate, are to be repaired at their expence by the commiſſioners paviours; and the commiſſioners may compound with ſuch pariſhes, &c. for the ſame.——They may alſo direct the courſes of the gutters to be turned; and the grates of the ſewers to be removed and replaced; out of the money appropriated for the uſe of this act.——All ſigns, ſign-irons, poſts, ſpouts, gutters, or other annoyances, may be removed, and new placed by the commiſsioners; and for the future all ſigns, ſpouts, and gutters, &c. are to be placed on the fronts of the houſes they belong to, on penalty of 5l.——Such parts of any of the ſaid ſigns, &c. as ſhall remain unuſed after the alteration, to be returned to the owners.——Corner houſes, &c. ſhall be rated no more, than in proportion to the part of ſuch houſe,

houſe, &c. which is ſituated in the ſtreet, &c. whereon ſuch rate is made. ——The rates to be paid by the inhabitants.——Commiſsioners may order the ſtreets to be watered; and the names of the ſtreets or ſquares to be affixed on the corner houſes. Penalty of defacing or deſtroying the ſame, 40 s.——No incloſure to be made for depoſiting materials for building or repairing without leave.——Clauſe in the act 29 Geo. 2. concerning preſentments by the annoyance jury, Repealed.——Surveyor, &c. to the commiſsioners to view and preſent all defective pavements; and if the ſame are not repaired within 14 days after notice ſent for the purpoſe, the commiſsioners may order the ſame to be done; and be reimburſed the charges by the parties; and if the parties refuſe or neglect to pay the ſame, any juſtice may hear and determine the matter in a ſummary way; and levy the charges by diſtreſs and ſale ——No action to be brought in purſuance of this act, until 21 days notice in writing ſhall be given to the clerk or treaſurer of the commiſsioners; or after ſufficient ſatisfaction or tender made to the party aggrieved; or after ſix calendar months next after the fact.——Defendants may plead the general iſſue. ——and if the action be brought contrary to the foregoing limitations, the jury muſt find for the defendant, who ſhall recover treble coſts.

CAP. XXIV.

An act to prevent fraudulent and occaſional votes in the elections of knights of the ſhire, and of members for cities and towns which are counties of themſelves, ſo far as relates to the right of voting by virtue of an annuity or rent charge.

Preamble.

WHEREAS *annuities or rent charges granted for life or lives, or a greater eſtate, iſſuing out of freehold lands or tenements, are of a private nature, and therefore liable to fraudulent practices in the election of knights of ſhires, to the prejudice of the candidates, and of thoſe who have juſt right to vote at ſuch elections: and whereas the right of election of members to ſerve in parliament for ſeveral cities and towns which are counties of themſelves, in that part of* Great Britain *called* England, *is veſted partly, or in the whole, in freeholders, in reſpect of freeholders of the yearly value of forty ſhillings, lying within ſuch cities and towns: and whereas annuities and rent charges for a life or lives, or a greater eſtate, iſſuing out of ſuch freehold lands or tenements, are liable to the like fraudulent practices: for remedy whereof,* be it enacted by the King's moſt excellent majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That from and after the firſt day of *Auguſt*, one thouſand ſeven hundred and ſixty-four, no perſon ſhall vote for electing any knight or knights of a ſhire, citizen or citizens, burgeſs or burgeſſes, of any ſuch city or town for that part of *Great Britain* called *England*, for or in reſpect of any annuity or rent charge iſſuing out of freehold lands or tenements, and granted before the firſt day of *June*, one thouſand ſeven hundred and ſixty-three, unleſs a certificate, upon oath, ſhall have been entered twelve calendar months, at leaſt, before the firſt day of ſuch election, with the clerk of the peace for the county, riding, or diviſion, or with the clerk of the peace, town clerk, or other publick officer, having

No perſon may vote in elections of knights of the ſhire, or of members for cities and towns which are counties of themſelves, in right of any annuity or rent charge granted before 1 June, 1763, unleſs

a certificate be entered with the clerk of the peace, or

ing the cuſtody of the records within ſuch city or town where ſuch lands or tenements do lie, as follows (that is to ſay)

other proper officer, 12 months before any ſuch election begins;

I A. B. *of* *am really and* bona fide *ſeized of an annuity or rent charge, for my own uſe and benefit, of the clear yearly value of forty ſhillings, above all rents and charges payable out of the ſame, wholly iſſuing out of freehold lands, tenements, or hereditaments, belonging to* C. D. *of* *ſituate, lying, and being, in the pariſh, townſhip, or place, or in the pariſhes, townſhips, or places, of* E. *in the county of* *without any truſt, agreement, matter, or thing, to the contrary notwithſtanding; and I, or the perſon or perſons under whom I claim, was or were ſeized of the ſaid annuity or rent charge before the firſt day of* June, *one thouſand ſeven hundred and ſixty-three.*

and in like manner with reſpect to ſuch qualifications as ſhall come by deſcent, marriage, deviſe, preſentation, or promotion.

II. And be it further enacted by the authority aforeſaid, That no perſon ſhall vote for the electing any knight or knights of a ſhire, or for a citizen or citizens, burgeſs or burgeſſes, of any ſuch city or town, for that part of *Great Britain* called *England*, in reſpect of any annuity or rent charge iſſuing out of freehold lands, tenements, or hereditaments, which ſhall come to ſuch perſon by deſcent marriage, marriage ſettlement, deviſe, or preſentation to a benefice in a church, or promotion to an office, within twelve calendar months next before ſuch election reſpectively, unleſs a certificate upon oath, or affirmation if a *quaker*, ſhall have been entered with the clerk of the peace, town clerk, or other officer as aforeſaid, before the firſt day of ſuch election, as follows; that is to ſay,

I A. B. *of* *am really and* bona fide *ſeized of an annuity or rent charge, to my own uſe and benefit, of the clear yearly value of forty ſhillings a year, above all rents and charges payable out of the ſame, wholly iſſuing out of freehold lands, tenements, or hereditaments, belonging to* C. D. *of* *ſituate, lying, and being in the pariſh, townſhip, or place, or in the pariſhes, townſhips, or places, of* *in the county of* *without any truſt, agreement, matter, or thing, to the contrary notwithſtanding; and I became ſeized of the ſaid annuity or rent charge, on the* *day of* *laſt paſt, by deſcent or otherwiſe* (as the caſe may happen.)

Nor may any perſon vote in any election as aforeſaid, after 1 Aug. 1764, in reſpect of any annuity or rent charge granted after

III. And be it further enacted by the authority aforeſaid, That from and after the ſaid firſt day of *Auguſt*, one thouſand ſeven hundred and ſixty-four, no perſon ſhall vote at any election of a knight or knights of the ſhire, or of any citizen or citizens, burgeſs or burgeſſes, of any ſuch city or town, within that part of *Great Britain* called *England*, for or in reſpect of any annuity or rent charge to be granted after the ſaid firſt day of *June*, one thouſand ſeven hundred and ſixty-three, unleſs a memorial

morial of the grant of such annuity or rent charge shall have been registered with the clerk of the peace of the county, riding, or division, or with the clerk of the peace, town clerk, or other public officer, having the custody of the records, within such city or town where the lands or tenements out of which such annuity or rent charge issues shall lie, twelve calendar months at least before the first day of such election; which memorial shall be wrote on parchment, and directed to such clerk of the peace, town clerk, or other publick officer, and shall be under the hand and seal of the grantor and grantors, and attested by two witnesses, one whereof to be one of the witnesses to the execution of such grant; which witnesses shall upon oath before such clerk of the peace, town clerk, or other officer as aforesaid, or their deputies, prove the sealing and delivering of such grant, and the signing and sealing of such memorial; and which memorial shall contain the day and year of the date, and the names, additions, and abodes, of the parties and witnesses, and all the lands and tenements out of which the annuity or rent charge issues, and the parish, township, or place, or the parishes, townships, and places, where such lands and tenements lie; and that every such grant, of which such memorial is so to be registered, shall, at the time of entering such memorial, be produced to such clerk of the peace, town clerk, or other officer, as aforesaid, or their deputies, who shall thereon endorse a certificate, in which shall be mentioned the day and year on which such memorial shall be so entered.

the said 1 June, 1763, unless a memorial of the grant duly attested, be registered as aforesaid.

Such grant to be produced at the time of registering, and the day and year of entering the memorial to be endorsed thereon by the proper officer.

IV. And be it further enacted by the authority aforesaid, That from and after the said first day of *August*, one thousand seven hundred and sixty-four, no person shall vote at any election of a knight or knights of the shire, or of any citizen or citizens, burgess or burgesses of any such city or town, in that part of *Great Britain* called *England*, by reason of an assignment of any annuity or rent charge, or any part or parts thereof, made before the said first day of *June*, one thousand seven hundred and sixty-three, unless a certificate of such assignment upon oath, to the purport herein before mentioned, with respect to an original annuity or rent charge, shall have been entered with such clerk of the peace, town clerk, or other officer as aforesaid, twelve calendar months at least before the first day of such election; and that no person shall vote at any such election as aforesaid, by reason of an assignment of any annuity or rent charge, or any part or parts thereof, made after the first day of *June* one thousand seven hundred and sixty-three, unless a memorial of such assignment, and also a memorial of the grant of such annuity or rent charge of which such assignment shall be made, shall have been attested and registered twelve calendar months at least before the first day of such election, in the same manner as is herein before directed with respect to the memorial of an original grant of an annuity or rent charge.

Nor may any one vote in right of any assignment of any annuity or rent charge made before 1763, unless a certificate of the original annuity be entered as aforesaid; and if the assignment be made after the said 1 June, then a memorial thereof, and of the grant, to be attested and registered as is directed in cases of original grants.

Books to be kept by the proper officers for entering ſuch certificates and memorials. Fees for entry, and ſearch,

V. And be it further enacted by the authority aforeſaid, That the clerk of the peace of every county, riding, or diviſion, and the clerk of the peace, town clerk, or other officer as aforeſaid, of every ſuch city or town, ſhall keep a book or books for the entering of every ſuch certificate and memorial, and ſhall be allowed for the entry of every ſuch certificate the ſum of one ſhilling, and of every ſuch memorial, two ſhillings, and no more; and for every ſearch for any certificate or memorial, one ſhilling, and no more; and that any perſon or perſons may, at all ſeaſonable times, reſort to and inſpect the certificates, memorials, and books of entries thereof: and ſuch clerk of the peace, town clerk, or other officer as aforeſaid, or their deputies, is hereby directed and required forthwith to give a copy of any certificate or memorial to any perſon or perſons who ſhall deſire the ſame, paying for ſuch copy, if it contains not more than two hundred words, the ſum of ſix pence; and ſo in proportion for any greater number of words: And ſuch clerk of the peace, town clerk, or other officer as aforeſaid, or their deputies, is hereby impowered to adminiſter an oath in all caſes where an oath is required by this act; and true copies of the aforeſaid certificates and memorials atteſted by ſuch reſpective clerks of the peace, town clerk, or other officer as aforeſaid, or their deputies, ſhall, at all times, be allowed and admitted as legal evidence in all caſes whatſoever.

and for copies.

Officer may adminiſter an oath in caſes aforeſaid. Copies atteſted by the proper officer, deemed legal evidence.

Memorials of grants or aſſignments made and executed above 40 miles from the office of clerk of the peace, &c. to be regiſtered, upon producing an affidavit made by one of the witneſſes before one of the judges at Weſtminſter, or a maſter in Chancery.

VI. Provided always, and be it further enacted by the authority aforeſaid, That a memorial of ſuch grant or aſſignment as ſhall be made and executed in any place not within forty miles of the office of the clerk of the peace for the reſpective county, riding, or diviſion, or of the town clerk, or other officer, as aforeſaid, ſhall be entered and regiſtered by ſuch clerk of the peace, town clerk, or other officer, as aforeſaid, or their deputies, in caſe an affidavit ſworn, or affirmation of a *quaker*, before one of the judges at *Weſtminſter*, or a maſter in *chancery* ordinary or extraordinary, be brought with the ſaid memorial to the ſaid clerk of the peace, town clerk, or other officer, as aforeſaid, wherein one of the witneſſes to the execution of ſuch grant or aſſignment ſhall ſwear that he or ſhe ſaw the ſame executed; and the ſame ſhall be a ſufficient authority to the clerk of the peace, town clerk, or other officer, or their deputies, to give the party that brings ſuch memorial a certificate of the regiſtering ſuch memorial; which certificate, ſigned by the ſaid clerk of the peace, town clerk, or other officer, as aforeſaid, or their deputies, ſhall be taken and allowed as evidence of the regiſtry of the ſame memorial in all courts of record whatſoever; any thing herein contained to the contrary notwithſtanding.

Officer, or deputy, to attend, upon reaſonable notice and ſatisfaction, with the books

VII. And be it further enacted by the authority aforeſaid, That the clerk of the peace of every county, riding, or diviſion, and the clerk of the peace, town clerk, or other officer, as aforeſaid, of every ſuch city or town, or their deputies, ſhall, upon reaſonable notice, attend at any ſuch election with the book or books of entries of every ſuch certificate and memorial, at the requeſt

requeſt of any candidate or candidates; he or they making him reaſonable ſatisfaction for ſuch attendance. of entries at any ſuch election.

VIII. And be it further enacted by the authority aforeſaid, That if any clerk of the peace, town clerk, or other officer, as aforeſaid, ſhall be guilty of any wilful neglect, miſdemeanor, or fraudulent practice, contrary to the true intent and meaning of this act, every ſuch clerk of the peace, town clerk, or other officer, as aforeſaid, ſhall, for every ſuch offence, forfeit one hundred pounds to the perſon who ſhall ſue for the ſame, by action of debt, bill, plaint, or information, in any of his Majeſty's courts of record at *Weſtminſter*; wherein no eſſoin, protection, wager of law, or more than one imparlance, ſhall be allowed. Officer guilty of any neglect or miſdemeanor, forfeits 100l.

IX. Provided always, and it is hereby further enacted and declared by the authority aforeſaid, That no perſon ſhall be liable to any forfeiture or penalty by this act laid or impoſed, unleſs proſecution be commenced within twelve months after ſuch forfeiture or penalty ſhall be incurred. Limitation of proſecutions,

CAP. XXV.

An act to continue and amend two acts made in the twenty-firſt and twenty-eighth years of his late Majeſty's reign, for encouraging the making of indico in the Britiſh *plantations in* America; *and for extending the proviſions of an act of the thirtieth year of his late Majeſty's reign, with reſpect to bringing prize goods into this kingdom, to* Spaniſh *prize goods taken ſince the late declaration of war with* Spain.

WHEREAS *the law for encouraging the making of indico in the* Britiſh *plantations in* America *has been found to be very uſeful and beneficial to the publick, and is ſo near expiring, that it is fit it ſhould be continued*; be it therefore enacted by the King's moſt excellent majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That an act made in the twenty-firſt year of the reign of his late majeſty King *George* the Second, intituled, *An act for encouraging the making of indico in the* Britiſh *plantations in* America, which was to continue in force for ſeven years, from the twenty-fifth day of *March*, one thouſand ſeven hundred and forty-nine, and from thence to the end of the then next ſeſſion of parliament; and which, by another act of the twenty-eighth year of his ſaid late Majeſty's reign, is further continued, from the twenty-fifth day of *March*, one thouſand ſeven hundred and fifty-ſix, until the twenty-fifth day of *March*, one thouſand ſeven hundred and ſixty-three, and from thence to the end of the then next ſeſſion of parliament; ſhall be, and the ſame is hereby, further continued, from the expiration thereof, until the twenty- Preamble. The act of 21 Geo. 2 relating to Britiſh plantations made indico, which was continued by an act of 28 Geo. 2. is further continued to 25 March, 1770, &c.

twenty-fifth day of *March*, one thouſand ſeven hundred and ſeventy, and from thence to the end of the then next ſeſſion of parliament.

After expiration of the term limited by the act of 28 Geo. 2. a bounty only of 4d. per lb. to be allowed on all ſuch indico imported; under the regulations of the act of 21 Geo. 2.

II. Provided always, and be it enacted by the authority aforeſaid, That from and after the time limited by the ſaid act of the twenty-eighth year of his late Majeſty's reign, no more than four pence on the pound weight ſhall be paid and allowed as a bounty on indico imported from his Majeſty's colonies, under the regulations and reſtrictions mentioned in the ſaid act of the twenty-firſt year of the reign of King *George* the Second; and that no part of the ſaid bounty of four pence on the pound weight ſhall be repaid upon the exportation of ſuch indico. No part of the bounty to be repaid on exportation.

Doubts, with reſpect to the quality of the indico claiming the bounty, in any of the out ports, to be determined by two perſons ſkilled in the commodity;

but if a competent number of ſuch perſons cannot be found there. Samples of the indico are to be ſent to the commiſſioners of the cuſtoms.

III. Provided alſo, and be it enacted, That in caſe any doubt or diſpute ſhall ariſe between the ſurveyors or officers of the cuſtoms, and the owners or importers of indico imported into any of the out ports of *Great Britain*, as to the quality of the ſame, it ſhall and may be lawful for the collector of his Majeſty's cuſtoms in any ſuch out port, to call two or more dyers, dry ſalters, brokers, or others, well ſkilled in that commodity, who ſhall declare upon oath, if required, their opinion as to the quality of the ſame, and, according to the beſt of their judgment, determine whether the ſaid indico is or is not intitled to the premium granted by the above recited act.

IV. Provided nevertheleſs, That if a competent number of perſons well ſkilled in that commodity, to be approved of by the collector of the cuſtoms, in any out port where indico is imported, cannot be found in ſuch out port, then, and in ſuch caſe only, where any doubt or diſpute ſhall ariſe as aforeſaid, ſamples of ſuch indico, if imported into any out port in *England*, ſhall be taken and ſent to the commiſſioners of the cuſtoms at *London*; and if imported into any out port in *Scotland*, to the commiſſioners of the cuſtoms at *Edinburgh*; in ſuch manner as the reſpective commiſſioners ſhall direct, in order to be inſpected and adjudged by ſuch perſons, and in ſuch manner, as are preſcribed by law for indico imported into the port of *London*.

Proviſions in act 30 Geo. 2. encouraging the importation of prize goods, extended to Spaniſh prize goods.

V. And be it enacted by the authority aforeſaid, That all the proviſions of an act paſſed in the thirtieth year of his late Majeſty's reign, intituled, *An act for the relief and encouragement of the captors of prizes, with reſpect to the bringing and landing prize goods in this kingdom*; be extended to *Spaniſh* prize goods taken ſince the late declaration of war with *Spain*.

CAP. XXVI.

An act to continue and render more effectual two acts of parliament for repairing the roads from Lemsford Mill, *through* Welwyn *and* Stevenage, *and by* Cory's Mill, *to* Hitchin; *and from* Welwyn, *through* Codicot, *to* Hitchin, *in the county of* Hertford.

CAP.

CAP. XXVII.

An act to continue and render more effectual two acts of parliament for repairing and widening the road leading from the Black Bull Inn *in* Dunſtable, *in the county of* Bedford, *to the way turning out of the ſaid road up to* Shafford Houſe, *in the county of* Hertford.

CAP. XXVIII.

An act for continuing an act paſſed in the eleventh year of his late majeſty King George *the Second, intituled,* An act for laying a duty of two pennies Scots, or one ſixth part of a penny ſterling, upon every Scots pint of ale and beer which ſhall be brewed for ſale, brought into, vended, tapped, or ſold, within the town of *Aberbrothock, and liberties thereof.*

CAP. XXIX.

An act for enlarging the term and powers granted by two acts of parliament of the ſixth and twelfth years of his late Majeſty's reign, for repairing the road from Fyfield *in the county of* Berks, *to* Saint John's Bridge *in the county of* Glouceſter, *and from an inn called the* Hind's Head, *in the pariſh of* Kingſton Bagpuze *in the ſaid county of* Berks, *to that part of* Newbridge *which ſtands in the ſaid county of* Berks; *and for rendering the ſaid acts more effectual.*

CAP. XXX.

An act to enlarge the term and powers granted by an act made in the eighteenth year of the reign of his late majeſty King George *the Second, intituled,* An act to repair and widen the road leading from *Godmancheſter* in the county of *Huntingdon,* through *Fen Stanton* and *Cambridge,* to the firſt rubbing houſe on *Newmarket Heath,* in the county of *Cambridge.*

CAP. XXXI.

An act for repairing and widening the road from a place called Nightingales, *in the townſhip of* Heath Charnock, *to the bridge at the weſt end of the town of* Bolton in the Moors, *in the county palatine of* Lancaſter.

CAP. XXXII.

An act for repairing the road from Newmarket, *over* Newmarket Heath, *to the turnpike road leading to* Stump Croſs, *in the counties of* Cambridge *and* Suffolk.

CAP. XXXIII.

An act for repairing, widening, and keeping in repair, road from Kirkby Kendall, *in the county of* Weſtmo land, *to* Kirkby Ireleth, *in the county of* Lancaſter.

CAP. XXXIV.

An act for repairing, widening, and keeping in repair, t high road leading from the fourteen mile ſtone, in the pari of Mothvey, *in the county of* Carmarthen, *through* Lla dovery, *to* Llydiad y Gwyn, *in the pariſh of* Llandi vawr; *and from thence by* Cledfulch, *and over* Dulei Bridge, *to the town of* Landilo vawr; *and from the ſaic town along the poſt road, by* Rhwyradar, *through th county borough of* Carmarthen, *and village of* Saint Clears, *to* Tavern Spite, *in the pariſh of* Kiffig, *at th borders of the county of* Pembroke.

CAP. XXXV.

An act for repairing, widening, and keeping in repair, ſeveral roads leading from the town of Barnſtaple, *in the county of* Devon.

CAP. XXXVI.

An act for repairing, widening, turning, and keeping in repair, the road from the town of Cambridge *to* Ely, *and from thence to* Soham; *and for building a bridge croſs the river* Ouze, *at or near a place called* Stretham Ferry, *in the county of* Cambridge.

CAP. XXXVII.

An act to continue and render more effectual ſeveral acts of parliament for repairing the road from Highgate Gate-Houſe, *in the county of* Middleſex, *to* Barnet Block-houſe, *in the county of* Hertford; *and the road from the* Bear Inn *in* Hadley, *to the* Angel *in* Endfield Chace; *and alſo* Canewood Lane, *leading from* Highgate *to* Hampſtead, *in the ſaid county of* Middleſex; *and for repairing and widening the road, being part of the great* North Road *from* London, *beginning at* Barnet Block-houſe, *and ending at the* Bear Inn *in* Hadley *aforeſaid.*

CAP. XXXVIII.

An act for amending and widening ſeveral roads leading from or near the north end of the town and borough of Totnes, *in the county of* Devon.

CAP.

CAP. XXXIX.

ct for making a navigation from the river Humber, *by canal or cut, at or near* Tetney Haven, *to the river* ıdd, *in the parish of* Alvingham, *in the county of* Lin-ln; *and for continuing the said navigation in or near the aid river, from thence, to or near the town of* Louth, *in he said county.*

CAP. XL.

act for maintaining, regulating, and employing the poor within the parish of Saint Matthew Bethnal Green, *in the county of* Middlesex.

CAP. XLI.

In act for paving, lighting, and cleansing the city of Coventry, *and its suburbs; for preventing annoyances therein; and for better ordering the publick wells and pumps there.*

CAP. XLII.

An act for continuing the duties, and enlarging the powers, granted by two acts made in the fifth and twenty-fifth years of his late Majesty's reign, for enlarging the pier and harbour of Scarborough *in the county of* York.

CAP. XLIII.

An act for repairing, widening, and keeping in repair, the road leading from the turnpike road, between Oswestry *and* Wrexham, *at or near* Whithurst's House, *through* Llangollen, *to the most proper and commodious joining of the turnpike road leading from* Wrexham *to* Ruthin, *at or near* Tavern Dwyrarch; *and from* Llangollen *aforesaid, through* Acre Fair Colliery, *to the* Finger Post, *at the joining of the road leading from* Oswestry *to* Wrexham *in the county of* Denbigh.

CAP. XLIV.

An act for repairing and widening the road, and opening a communication, from the house of Thomas Hughes *esq; adjoining to* Halkin Mountain, *to* Farm; *and across the old post road in* Counsillt-fechan, *to a house at* Nant y Moch, *in* Bagillt, *in the occupation of* Thomas Gill, *in the county of* Flint.

CAP. XLV.

An act for repairing and widening the road from Lawton, *in the county of* Chester, *to* Burslem *and* Newcastle under Lyne, *in the county of* Stafford, *and other roads therein mentioned.*

CAP.

CAP. XLVI.

An act to continue the term, and enlarge the powers of seve acts of parliament for repairing the roads from Maid head Bridge *to* Reading; *and from the ſaid bridge* Henley Bridge, *in the county of* Berks.

CAP. XLVII.

An act to enlarge the term and powers of two acts paſſed the firſt and twelfth years of the reign of his late maj King George *the Second, for repairing the road from powder mills on Hounſlow Heath, in the county of* M dleſex, *to a place called* Baſingſtone, *near the town* Bagſhot, *in the pariſh of* Windleſham, *in the county* Surrey.

CAP. XLVIII.

An act for the better cleanſing and enlightening the ſtreets lanes, and publick ways, of the city of York, *and the ſub urbs thereof, and of the liberty of* Saint Peter *within th ſaid city; and for keeping the ſame in repair and free fron annoyance; and for regulating the hackney coachmen an chairmen, carmen and draymen, within the ſame.*

CAP. XLIX.

An act for taking down the pariſh church of Saint Andrew *in the city of* Canterbury; *and for building a new churc in a more convenient place.*

CAP. L.

An act for veſting certain parcels of land in Paddington, *i the county of* Middleſex, *in the rector and churchwarden of the pariſh of* Saint George Hanover-Square, *in th ſaid county; and appropriating the ſame for a buria ground for the ſaid pariſh.*

CAP. LI.

An act to amend and render more effectual ſo much of an ac paſſed in the laſt ſeſſion of parliament, intituled, An act fo amending and widening the road from the market houſ in *Stourbridge*, to *Colley Gate*, in *Cradley*, and from *Pea more* to *Holly Hall*, and from *Colly Gate* to *Haleſowen* and from the turnpike road on *Dudley Wood* to *Rednal Green*, in the pariſh of *King's Norton*, and from *Carter' Lane* to the *Bell Inn* at *Northfield*, in the counties o *Worceſter*, *Stafford*, and *Salop*, as relates to the roa from the turnpike road on *Dudley Wood* to *Rednal Green* and from *Carter's Lane* to the *Bell Inn* at *Northfield.*

CA

CAP. LII.

act for amending and widening the roads leading from New Street *and* Pig Street, *in* Penryn, *in the county of* Cornwall, *to* Redruth, *in the ſame county.*

CAP. LIII.

n act for maintaining, regulating, and employing the poor within the pariſh of Saint Mary Whitechapel, *in the county of* Middleſex; *for cleanſing and lighting the ſquares, ſtreets, lanes, alleys, courts, yards, and other open paſſages and places, and regulating and keeping a nightly watch, within ſuch parts of the ſaid pariſh as are not within the liberties of the Tower of* London, *or city of* London; *and to enable the pariſhioners to raiſe money to defray the expences of repairing the ſaid pariſh church.*

CAP. LIV.

n act for the better and more eaſy rebuilding of the town of Wareham *in the county of* Dorſet; *and for determining differences touching houſes and buildings burnt down or demoliſhed by reaſon of the late dreadful fire there, and for preventing future danger by fire.*

CAP. LV.

n act for lighting the ſtreets and other places, and maintaining a regular and nightly watch, within the town and county of the town of Newcaſtle upon Tyne; *and for regulating the hackney coachmen and chairmen, cartmen, porters, and watermen within the ſame.*

CAP. LVI.

n act for the better paving of the ſtreets, and for preventing nuſances and other annoyances in the town of Goſport, *in the county of* Southampton.

CAP. LVII.

n act for continuing and enlarging the term and powers of an act made in the thirty-ſecond year of the reign of his late majeſty King George *the Second, for repairing and widening the road from the town of* Derby, *to the town of* Newcaſtle under Lyne, *in the county of* Stafford; *and for repairing and widening the road from* Cliffebank *to* Snape Marſh, *in the village of* Shelton, *in the county of* Stafford.

CAP. LVIII.

n act to continue the term and enlarge the powers of two acts of parliament, for repairing the highways from White-

Whitechapel *church, in the county of* Middlesex, *t* Woodford, *in the county of* Essex; *and for enlightenin and watching part of the said highway from* Whitechape *church to* Stratford; *and for repairing the road throug the parishes of* Chigwell *and* Lambourn, *in the county o* Essex.

CAP. LIX.

An act for repairing and widening the road leading from the town of Stafford *to* Sandon, *in the county of* Stafford; *and several other roads in the counties of* Salop *and* Stafford.